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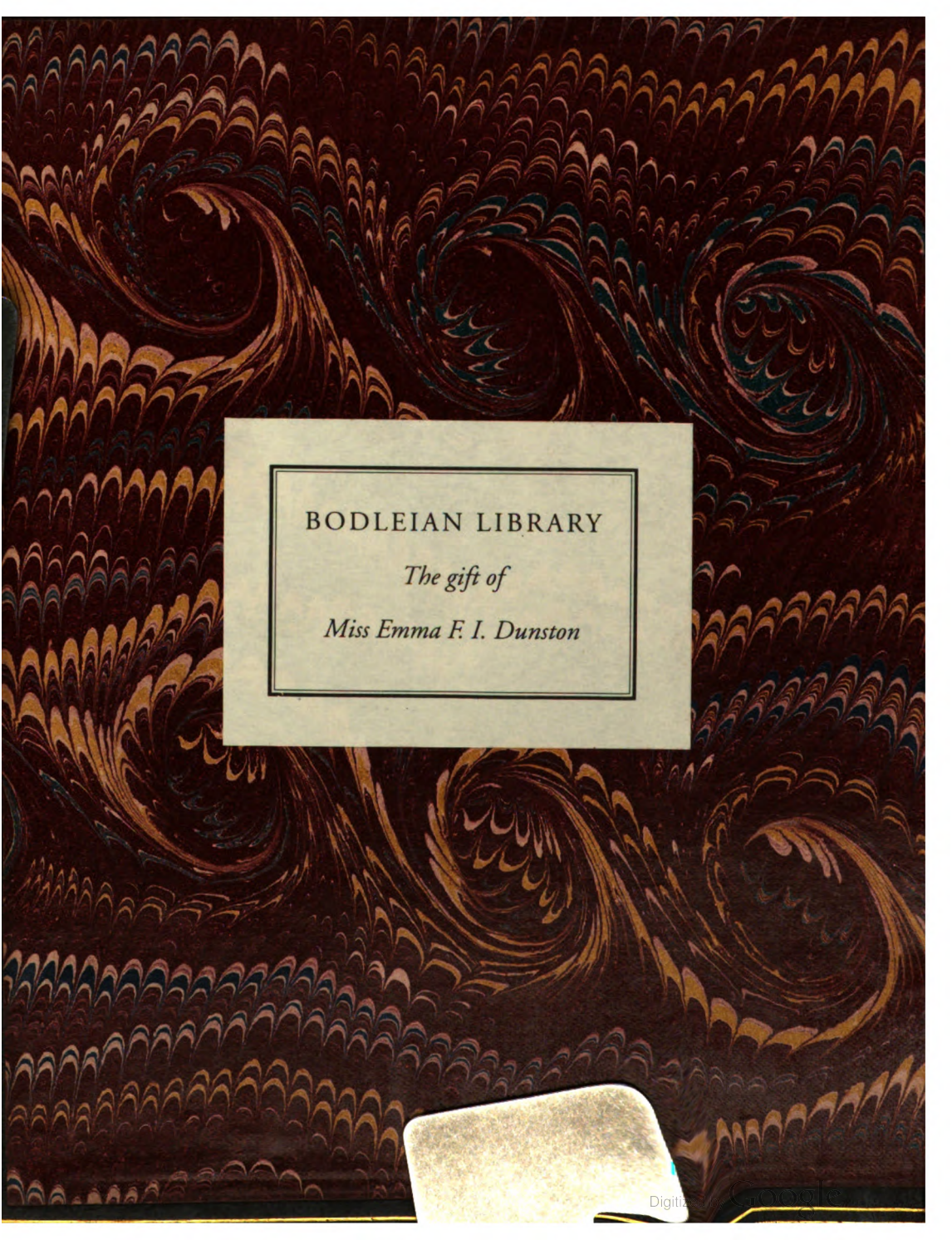
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Horae Decanicae Rurales.

BEING AN ATTEMPT TO ILLUSTRATE,

BY A SERIES OF NOTES AND EXTRACTS,

The Name and Title,

The Origin, Appointment, and Functions,

Personal and Capitular,

OF

Rural Deans.

WITH

A FEW INCIDENTAL REMARKS ON THE RISE AND DECAY

OF

Rural Bishops,

AND ON THE INCARDINATION OF

Parochial Clergy.

TO WHICH IS ADDED,

An Appendix of Documents, Ancient and Modern.

BY

WILLIAM DANSEY, A.M.

RECTOR OF DONHEAD ST. ANDREW,

Rural Dean of CHALKE, WILTS.

VOL. II.

LONDON.

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MDCCCXXXV.



ΙΩΒ. κεφ. η'. 8, 9, 10.

**ΕΠΕΡΩΤΗΣΟΝ ΓΑΡ ΓΕΝΕΑΝ ΠΡΩΤΗΝ,
ΕΞΙΚΝΙΑΣΟΝ ΔΕ ΚΑΤΑ ΓΕΝΟΣ ΠΑΤΕΡΩΝ·**

**ΣΘΙΖΟΙ ΓΑΡ ΕΣΜΕΝ, ΚΑΙ ΟΥΚ ΟΙΔΑΜΕΝ,
ΣΚΙΑ ΔΕ ΕΣΤΙΝ ΗΜΩΝ Ο ΒΙΟΣ ΕΠΙ ΤΗΣ ΓΗΣ·**

**Η ΟΥΚ ΟΥΤΟΙ ΣΕ ΔΙΔΑΣΚΟΥΣΙ, ΚΑΙ ΑΝΑΓΓΕΛΟΥΣΙ ΣΟΙ,
ΚΑΙ ΕΚ ΚΑΡΔΙΑΣ ΑΥΤΩΝ ΕΞΑΚΟΥΣΙ ΡΗΜΑΤΑ·**



Horæ Decanicae Rurales.

PART V.

The Capitular Functions of Deans Rural.

SECTION I.

THE INSTITUTION AND ECONOMY OF Rural Chapters.

A O the division of decanal duties next to be adduced, the title of capitular is applied: under which, it is meant to designate and describe those functions, which anciently devolved on deans rural, as presidents of country chapters. For, not alone beholden for distinction to their *synodical duties* in the diocesan conventions of the bishop and clergy, already fully discussed in *Part IV. Sect. III.*, rural archpriests were also *especially* dignified in their respective deanries, by the right of convocating local synods or chapters, and presiding over them as prolocutors.

“Archipresbyteri (Decani rurales) diligenter convocari faciant capitula ruralia per se, aut per suos nuncios, in præcipuis locis decanatum, de tribus septimanis in tres tenenda, et aliquandò extraordinariè ad voluntatem nostram, si nobis

CC. M. B. et H.
Vol. I. p. 547.
can. VIII. IX.

visum fuerit aliquid in istis conventibus cum clero communicare. In hisce capitulis ipsi præsent, et moderentur tractatus cleri de communibus negotiis Decanatum.”—

Such was the decree of Simon de Rochfort, bishop of Meath in Ireland (A.D. MCCXVI). And, at a later date, continental synods empowered deans rural to hold the like clerical assemblies for the more easy execution of the important duties of their office—“*Ut Decani, quæ ipsis ratione Decanatus incumbunt officia facilius exequantur, liceat ipsis pastores sui districtus, cum expedire judicaverint, convocare, de statu et rebus ecclesiarum cum illis, vel singulis, vel omnibus simul agere, de pastoralis officio, observatione statutorum consilia inire, controversias, si quæ ortæ sint, componere, aliaque agere quæ pro officio facienda ipsis incumbent, &c.*”

*Statuta Synodi
Audomar. p. 70.
Statuta Synodi
Ypres. p. 325.
Van Espen,
I. E. U. P. I.
T. VI. p. 31.*

*Decreta Synodi
Camerac. c. III.
fol. 3.*

The synod of Cambray (A.D. MDLXVII.) declares the object of decanal chapters to be, “*Ut pastoribus sacra decreta sæpius explicentur, ut disciplina si quâ parte neglecta est, restituatur, utque de statu ac rebus ecclesiarum certiores fiant episcopi;*” and subjoins a strong injunction for the observance of the strictest sobriety and decency of behaviour—any departure from which was punishable with a fine of six florins, and fasting on bread-and-water diet for eight days.

*Parochial Antiquities, Vol. II.
p. 347.*

These chapters, in Great Britain and Ireland, and on the continent wherever they obtained, consisted of the parochial incumbents of each deanry, or their curates as proxies, and the rural dean as president; the latter having the power, in case of being unable to attend, from sickness or other impediment, of delegating to his vice-decanus, or sub-dean, the temporary headship of the rural convention—a vicarious commission, to which the

diocesan was supposed to assent. For, strictly speaking, neither on this, nor on any other call of duty, could the dean (either *here* or *abroad*) appoint a vicar or representative, without the expressed or implied sanction of the bishop. So spake the fourth canon of the council of Cognac (*A.D.* MCCXXXVIII.), apparently of general application, and confirmed by a second council of the same place (*A.D.* MCCLXII.)—" *Vicarios prohibemus per archipresbyteratus, decanatus, et archidiaconatus, constitui ab archidiaconis, decanis, et archipresbyteris: nisi ex iusta causâ absentes fuerint. Quo casu poterunt, cum consensu episcopi vicarios ordinare.*"

SS. CC. Tom.
XIII. col. 1428.
& Tom. XIV.
col. 313.

In the ancient canon law, nothing is said about rural chapters; nor, indeed, out of England do they appear to have been so much known as amongst ourselves. It is true, that continental councils and capitularies afford frequent early notices of *monthly* and other local meetings of the clergy; but more rare of rural chapters, or decanal synods, properly so called. Such, however, do occur in the Gallican church; though they have been, seemingly, overlooked by writers on the subject of these primitive conventions. We shall presently quote examples of the ninth century in the archdiocese of Rheims, and others of later date. In our own islands, faint traces appear of them as ancient as the reign of Edward the Confessor;—in the third canon of whose *Laws Ecclesiastical* (*A.D.* MLII.)¹, peace and protection are granted to persons frequenting them:—" *Ad dedicationes, ad synodos,*

CC. M. B. et H.
Vol. I. p. 311.

(¹) The clergy and their servants, coming, tarrying, and returning from *convocation*, have the same privilege from arrests, as members of parliament. 8 Hen. VI. c. 1. Grey's Eccles. Laws, p. 342.

Eccles. Laws, Addenda, Vol. II.
A.D. MLXIV.

Wilkins's *Leges Anglo-Saxon. Eccles. et Civil.*
p. 197.

Spelman's *Gloss. Archæol. in voce, & Ancient Government of England*, p. 50.

CC. M. B. et H.
Vol. I. pp. 218, 225.

Selden's *Tythes*, c. xiv.
p. 412.

Turner's *Hist. of the Anglo-Saxons*, Vol. II.
c. v. p. 232.

Somner's *Antiq. of Canterbury*, Part I. p. 172.

ad capitula venientibus, five summoniti sint, five per se quid agendum habuerint, sit summa pax."—In which place, Johnson and other able glossators are of opinion, that by chapters may be justly understood the clergy of the gild¹ or deanry assembled under the bishop's priest, or rural dean, as their president;—the same who is called, in the tenth canon, the bishop's minister, attendant with his capitulum (for so I would interpret "*cum clericis suis*,") at the holding of an ordeal:—" *Die illo quo iudicium fieri debet, veniat illuc minister episcopi cum clericis suis &c.*"—And, lastly, in the thirty-first canon, called, "*Decanus episcopi*:" where, as the final clause is quoted by Sir Henry Spelman, it is ordered that the bishop's dean shall receive, as a fine for a breach of the king's peace (because there could be no such civil breach, but it must also break the peace and unity of the church), the sum of ten shillings. It is suggested as by no means improbable, that this episcopal deputy or bishop's officer, thus variously denominated, may have been connected with the above-mentioned chapters, constituting in each deanry a sort of ambulatory curia Christianitatis².

(¹) The Anglo-Saxon gild of priests, it seems probable, grew by degrees into the rural deanry of after date. The social confederations of the clergy, alluded to in the *Leges Presbyterorum Northumbrensum* (A.D. DCCCCL.)—I. II. and in the *Canones editi sub Edgardo rege* (A.D. DCCCCLX.)—IX. rudely represent, under the type of fraternities, the decanal associations of more polished days.

(²) During the Saxon times of England, the reader is aware, the ecclesiastical and civil courts were united, the bishop and ealdorman being co-assessors in the *scire-gemot*. After the Conqueror's edict of separation, ecclesiastical jurisdiction was awhile exercised, chiefly and for the most part for clergymen's causes, in synods or chapters; the bishop presiding over the former, and his deputy, the archdeacon, or rural dean,

over

Having briefly explained, in his gloss upon capitulis ruralibus, the difference between the terms capitulum, conventus, and collegium, in their proper canonical acceptation, Lyndwood enlarges on the occasional meaning of capitulum, propounding, in the course of his disquisition, the nature and character of rural chapters, and their three-weekly and quarterly meetings. "*Quandòque capitulum ponitur,*" says he, "*pro collectione plurium, et non communiter viventium, sed ob tractatus communes inter se habendos ad aliquem locum confluentium: . . . secundum quem modum collectio rectorum, vicariorum, et aliorum virorum ecclesiasticorum ob hujusmodi tractatus communes inter se habendos etiam dicitur capitulum.*—*Et quid ut communiter hujusmodi capitula celebrantur in locis minus insignibus, viz. in rure constitutis, hinc est quod capitula ruralia dicuntur.*—*Et horum capitulorum quædam tenentur de tribus hebdomadis in tres; quædam semel in quartâ anni; et hæc dicuntur*¹ *capitula principalia, propter majorem*

*Provinciale,
L. I. Tit. II. p. 14*

over the latter. "Afterward, upon the revival of the civil, and promulgation of the canon law, sufficiently replete with light and directions for deciding of doubts, and determination of causes, without need either of synods or chapters, they began by little and little to decline, or at least not to be of such ordinary use for the hearing and ending of causes, (such especially as were only civil, and not criminal) as before; and then, as a more easy and speedy way of dispatch, the consistorial form of judicature, which we now retain, exercised by officials, chancellors, commissaries, and the like ecclesiastical judges, came into request; of whom, in this nation, until about Pope Alexander the Third's days, no mention at all, in any record with us extant at this day is (I take it) to be found;"—an opinion supported by Bishop Stillingfleet, in his *Ecclesiastical Cases*, Vol. I. p. 147.

(¹) "*Capitula ruralia dicuntur conventus curionum ruralium, qui ab episcopis, archidiaconis, aut decanis ruralibus subinde coguntur, in quibus de rebus ecclesiasticis suarum parochiarum pertractare solent.*"

*Ducang. gl.
in voce.*

*Visitation Charge
to the Clergy of
Totnes, A.D.
MDCCVIII.*

confluentiam cleri, et quid in his de negotiis arduoribus tractari consuevit; de quibus, quid magis nituntur consuetudini patrie quam juri communi, hic de eis ulterius scribere omitto." For which very reason, as Atterbury has well observed, we had rather the learned canonist had entered more into detail, and handed down to us the capitular usages of his own and earlier times.

*Heylyn's Cos-
mographie. Bri-
tain, p. 269. &
Dugdale's Ori-
gines Juridical.
cap. x. p. 25.*

However, as far as his information extends, there were two classes of these chapters in England;—the one holden *every three weeks*, for ordinary business; the other *quarterly*, for more grave and important concerns of rural church-polity. The former are supposed to have originated in an imitation of the *secular courts of manors*, which were usually convened "*de tribus septimanis in tres septimanas.*" To the latter, no exact counter-type has been pointed out, in the conventions of the state; but they, probably, were derived from the periodical *hundred courts* of Michaelmas and Lady-day;—with this difference, that the secular *curiæ* were held only *twice* a year (*thrice* on the continent), the spiritual *four times*. See Spelman's *Glossary*, in *v. centenarius*, p. 132.

*Ducan's Gloss.
in v. Kalendæ.
Dr. Brady's Hist.
of England,
p. 537. note (c).*

After a time, the ordinary decanal synods, in some districts, came to be summoned on the *first day* of each succeeding month, instead of *every three weeks*, (resembling therein, too, the inferior *lay courts*); and were thence called *calendæ* or *monthly meetings*:—the origin of which may be traced, perhaps, to the Gallican church of the ninth century; when the *deans* and presbyters of the diocese of Rheims, under Archbishop Hincmar, were ordered, in the supplementary injunctions of his *capitula* on penance, to meet *on the first day of every month*, to discuss and settle penitential services, and

reconcile offences :—“ *Et semper de kalendis in kalendas mensium, quando presbyteri de decanatis simul conveniunt, collationem de suis pœnitentibus habeant, qualiter unusquisque suam pœnitentiam faciat, et nobis per comministrum nostrum renuntiatur, &c.*”

Hincmar Opera,
Tom. i. cap. i.
p. 730.

Indeed, from an earlier notice of them in the works of the same metropolitan, it would appear that these monthly congregations of the Rhemish clergy had been long enough established, at that period, to degenerate from their pristine character of deliberative conventions for the good of the church, into convivial banquetings for the sensual gratification of the clergy;—abuses, which Hincmar endeavoured to remedy, by ordering—

“ *Ut . . . post peractum divinum mysterium et necessarium collationem, non quasi ad prandium ibi sedeat ad tabulam, et per tales inconvenientes pastillos se invicem gravent, &c. Idè peractis omnibus, qui voluerint, panem cum caritate et gratiarum actione, in domo confratris sui simul cum fratribus suis frangant, et singulos biberes accipiant, maxime autem ultra tertiam vicem poculum ibi non contingant, et ad ecclesias suas redeant.*”

Ejusdem, p. 714.

This is one of the first notices I have met with of rural chapters abroad; where the clergy of those early days, though they appear to have congregated monthly for transacting ecclesiastical affairs, and the performance of inspectional and correctional duties among themselves, did so without always assuming the imposing type of a decanal synod, or placing an archpresbyter in the chair. Assemblies of the latter character were rare (though far from such a degree of infrequency, as to authorise Lyndwood and others in stating them to be almost peculiar to Great Britain);—while *monthly*

meetings, without the presidency of a rural dean, also denominated *kalendæ*, were of frequent celebration, and much esteemed.

Capitulars Attonis, c. XXIX. in Oper. P. II. p. 275. Edit. Vercellis, MDCCLXVIII.

Such conventions are mentioned with approbation by Atto, bishop of Vercelli (A.D. DCCCL.), and recommended to the observance of his diocese:—“*Experimento didicimus, non minùs bonam collationem, quàm etiam lectionem prodesse. Undè à præsentì statuimus, ut per singulas plebes singulis kalendis omnes presbyteri, seu clerici simul conveniant, ut de fide et sacramentis divinis, seu de vitâ et conversatione, et singulis officiis ad eos pertinentibus communiter tractent. Et si fortè aliquis inter eos negligens, aut reprehensibilis invenitur, à cæteris corrigatur. Quod si corrigi omninò non studuerit, mox suo nuncient episcopo, ut hæc acriùs emendare quantocyùs studeat; ne quàm eadem diœcesis ab episcopo visitata fuerit, aut quàm ipsi ad synodum venerint, aliquorum infamiâ omnes paritèr adnotentur.*” And they are again lauded by Riculph, bishop of Soissons;—in whose twentieth Constitution (A.D. DCCCLXXXIX.), the following notice of them occurs;—

SS. CC. Tom. XI. col 602.

“*Rationi quoque proximum esse sanximus, ut in unoquoque mense, statutâ die, id est, in kalendis uniuscujusque mensis per singulas decantias presbyteri simul conveniant, et convenientes non pastis vel potationibus, sed de suo ministerio et religiosâ conversatione, atque de his, quæ in eorum parochiis accidunt, sermonem habeant, et qualitèr pro rege, vel rectoribus ecclesiæ, atque pro suis familiaribus, tam vivis quàm et defunctis, orare debeant, simul considerent.*”

So important did these conventions appear to Saint Udalric, bishop of Augsburg, that, it is related by his biographer Gerard, that this canonized prelate was wont to interrogate the parochial clergy at the diocesan

synod, whether, amongst other things, they were in the habit of *regular attendance* at the local *kalendæ*, and the performance of their official duties as preachers at them:—“*Si per kalendas more antecessorum suorum ad loca statuta convenirent, ibique solitas orationes explerent, suasque ecclesias ad tempus reviserent &c.?*”

Thomassin. *V. et N. E. D.* Tom. II. P. II. l. a. III. c. LXXV. p. 790.

But with regard to the rural chapters, convened *monthly* (for such was the more usual custom) by the *bican archpresbyter*—they invariably took precedence of all other business, and were held on the first day of each successive month;—unless a festival occurred, to prevent their celebration;—“*De mense in mensem capitula celebrantur, nisi festa vel alia impedimenta, quæ occurrunt, hoc minime patiantur.*” And, in case of such an obstacle, they were held on the day following:—“*Si autem calendarum dies festivus fuerit,*” says the capitulary of Vercelli above cited, “*subsequenti die hoc adimplere non differant:*”—a rule which applied to the pastoral assemblies of Atto, and the *detanal* chapters of after-days alike.

CC. M. B. et H. Vol. II. p. 148.

Attonis Capit. c. XXIX. sub fine.

But not only on the *ordinary* occasions alluded to, at *stated intervals of a month*, was the president wont to meet his district clergy in chapter, but at *special times* also;—whenever the bishop ordered a *convention*, or affairs of sudden emergency appeared to the *Dean* to necessitate it:—“*Aliquando extraordinariè ad voluntatem nostram,*” says the bishop of Meath, “*si nobis visum fuerit in istis conventibus cum clero communicare.*”

SS. CC. Tom. XIX. col. 1452.

CC. M. B. et H. Vol. I. p. 547. A.D. MCCXVI.

Such capitula, however, whether *menstrual* or *special*, were inferior, in the scale of importance, to those solemnly assembled *once a quarter*, wherein the clergy attended in greater numbers, and the subjects of deliberation were of a graver character—the gravest indeed

CC. M. B. et H.
Vol. II. p. 148.

that could fall under decanal cognisance. All were equally summoned by the decanal authority; though the presidency of the dean, in the *quarterly*, was frequently superseded latterward by the attendance of the archdeacon. All were restricted to a single day's sitting; and the presidents of all were enjoined to discharge *first* from their attendance those parochial ministers who lived at the greatest distance: "*. . . . Et remotiores primò expediant, eosque protinùs abire dimittant, cum de parochiarum suarum causis fuerint expediti: nec capitula usque in crastinum continuent, ne sacerdotes sic coacti, extra suam parochiam non absque periculo animarum oporteat pernoscere.*" (*Synod. Exon. A.D. MCCLXXXVII. can. xxxi. De celebratione ruralium capitulorum.*)

Dr. Field of the
Church, Booke v.
p. 507.

At these meetings, as I have said¹, every parish minister was bound to attend by an oath, taken personally or by proxy before the dean, within one year after becoming possessed of his living; and, unless he entered into such a solemn obligation, he was not allowed to sit in chapter.—"*Per se, vel procuratorem legitimum, præstet juramentum decano,*" says the second council of Treves, "*quo præstito, in fratrem recipiatur; et tenebitur in capitulis generalibus et annalibus, et similiter quando, necessitate occurrente, decanus capitulum indicit, sub pœnis consuetis apparere.*"

Of the Church,
Booke v. p. 507.

"The oath," according to Lyndwood and Field, "was

Kennett's
Paroch. Antiq.
Vol. I. p. 429.

(¹) The obligation to attendance extending to all the parochial clergy, and poor vicars being unable to afford a horse for their conveyance to the chapter, the appropriators were sometimes compelled to supply one for their use:—"*Canonici et eidem vicario equum invenient quotiens pro negotiis eorum et ecclesiæ fuerit profecturus tam ad capitula, quàm ad alia, &c.*" (*Registr. Osen. M. A.D. MCCLXXXIV.*)

not simple, but with this limitation, '*salvis juribus capituli*,' that is, no way to prejudice the rights of the chapter." It enforced due reverence and obedience to the dean, as head of the capitulum, attendance at *periodical* and *occasional* meetings, and a participation of the expences incurred in supporting the church-discipline of the deanry:—" *Neque quisquam pastorum se ab his conbocationibus absintet*," says the synod of Ypres, "*nisi de sui decani consensu: teneanturque absentes sicut præsentes omnia onera et expensas hujusmodi conbocationis æqualiter supportare*."—To which points other synods legislate, with like positiveness; as those of Cambray, Autun, Ferrara, Bois-le-duc, &c.

*Stat. Synod.
Dioc. Ypres.
Tit. vii. cap. v.
A.D. MDLXXVII.*

A *statute* of Cambray enacts—" *Presbyteri parochiales ad capitula generalia decanorum suorum, et ad eorum conbocationem veniant et interfint, et pareant ordinationibus eorundem*:" and non-attendance, by the same church's decree, is made punishable by a fine of ten shillings, augmented by a *synodal statute* of Autun to forty shillings, —unless some canonical impediment occurred to prevent attendance; when their "*loca tenentes*" were to be present in their stead.—"*Statuimus quod curati parochiales ad decanorum suorum evocationem venire et congregari teneantur sub pœnâ decem solidorum*," says the former church; "*quam pœnam à non venientibus ceteris de decanatu curatis venientibus volumus applicari: præcipientes decanis, quod ipsi tales ad solvendam dictam pecuniam, si necesse fuerit, per censuram ecclesiasticam inducant et compellant*."

*Stat. Synod. Ec-
cles. Cambrac.
circa A.D.
MCCCX.
Vet. Scriptor.
Coll. Martone,
T. vii. col. 1330,
1332.*

The churches of Autun, Bayeux, and Treves, grant to their rural archpriests a mediety of the fine paid for non-attendance at archipresbyteral conventions; and the latter

*SS. CC. Tom.
xix. col. 338.
can. v.*

CC. Rotomag.
Prov. P. II.
p. 241.
SS. CC. Tom.
xix. col. 1453.

Muratorii *Anti-
quitates Medii
Ævi*, Tom. VI.
col. 433.

church farther orders, that, where pastors are non-resident on their cures, their capellanes or vice-curates, on appearing at rural chapters in their stead, shall exhibit the commissions under which they act, on pain of excommunication, and denouncement to the episcopal see.

The *Constitutions* imposed by the ecclesiastical establishment of Ferrara on the *parochi* of that state (A.D. MCCLXXVIII.), enact calendarly meetings under the archpriests every month; but allow of a pecuniary composition of "*sex Veneti parvi*," in lieu of personal attendance;—which sum is ordered to be expended, with the approbation of the archpriests, for the use of the poor¹.

But to return to our English rural chapters:—These *deanry sessions*, if we may so call them, were at first convened in whatever village of the district the dean selected, however poor and ill-adapted for the purpose; and the parochial minister of the place was compelled to supply substantial entertainment (*that is*, to procure) for the dean and his retinue. Till, at length, impoverished by the frequent recurrence of such large assemblages of visitors—a grievous charge, indeed, upon a poorly-endowed incumbency!—and harassed, moreover, with the difficulty of providing needful entertainment (often required at a short notice, in places, at the best, but scantily furnished with necessary esculents), our poorer and more sequestered villan clergy gladly availed themselves of the protection afforded to their larders by

CC. M. B. et H.
Vol. II. p. 699.
A.D. MCCCXLII.

(¹) See *Constitutiones factæ à Parochiis civilatis Ferrariensis pro sua congregationis regimine*, anno MCCLXXVIII; and for the usages of Holland in respect of fines for non-attendance, *see* particularly *Statuta Synod. Diocæs. Bufcoducen.* (A.D. MDCCXII.), Tit. XVI. cap. VI. p. 87.

Archbishop Stratford's memorable decree—which regulated the places of holding consistories, sessions, synods, chapters, &c., of bishops, archdeacons, and other ordinaries; and enacted that “all chapters should be celebrated, for the future, in the *more eminent* places of the jurisdictions or deanries, or, at least, where victuals might be purchased by all; and that officials and other ministers of the deans at such celebrations, and all other acts which they exercised instead of their principals (as *inquests on the vacancies of benefices*, Lyndwood in *gl.* p. 99.) should perform what concerned them at the expense of such their principals.”

Johnson's *Eccles.*
Laws, anno
MCCCLII.

Provinciale,
Lib. II. Tit. III.
Excusis &c.

By which canon, the presbyters of the smaller villages were effectually protected from these clerical musterings,—too often accompanied, in those days, with pecuniary exaction on the part of official underlings;—and the incumbents “*in locis magis insignibus*,” though still subject to them, were freed from all outlay and trouble in consequence, by the whole retinue being thrown, by law, on the dean's private resources, in some vicar house of public entertainment.

To enforce the strictest attention to the canon, it was subjoined that the acts of chapters, held elsewhere than in the places allowed, should be nullified, and the officers concerned in executing them should be suspended. But when duly convened at their allowed and appointed places of meeting, deanial chapters were protected by the synodal decrees of the church of Cambray, and many others, from violation; and all persons maliciously obstructing and interfering with them, were, *ipso facto*, excommunicated. Indeed, the synod of Malines orders all offensive strangers to be excluded from the assemblies,

Statuta Synodal.
Eccles. Camerac.
Vet. Script. Coll.
T. VII. col. 1329.

Van Espen
I. E. U. P. I.
Tit. vi. cap. iv.
p. 31.
Synod. Mechlin.
Tit. xvi. cap. ix.

—issuing the following canon to that and other purposes:—(one of which was, to put an end to chapter-holding at inns and taverns in that diocese):—“ *Ut capitula non ad compotandum, sed ad tractandum de rebus seriis indicta esse omnibus innotescat. Proinde in illis initium rerum agendarum sumatur ab invocatione Spiritus Sancti, quo dirigente de rebus ecclesiæ conferatur. Prandium verò non fiat nisi frugale et moderatum, ut nemo sumptibus vel potu gravetur, vel nec unquam illud in tabernâ vel diversorio instituitur. Extranei quoque per quos tractatio de rebus ecclesiæ possit impediri, ab eo excludantur.*”

How the rural dean of England paid his personal expences, and those of his immediate officers at these chapters, after they came to be taken from his private purse, does not appear. Onerous, indeed, they must have been, and very insufficiently supplied by his visitatorial procurations, and other scanty fees¹ of office, to

Bevergil *Pandectæ Canonum*,
Tom. I. pp. 38-9.

(¹) From the Greek *scholion* of Balsamon, on the fifty-ninth canon of the Apostles, it may be inferred that the *chorepiscopus* and *protopapas* of those days were amply provided for, out of the perquisites of their spiritual vocations:—*Μὴ εἴπῃς δὲ τίνας χάριν τοὺς πρεσβυτέρους ὁ κανὼν κολάζει, τὰ οἰκεῖα πράγματα μὴ διανεμόντας πρὸς ἐνδεεῖς κληρικούς; Θεμάτισον γὰρ ἐγκρατῇ τὸν πρεσβύτερον εἶναι πραγμάτων ἐκκλησιαστικῶν, τυχὸν ΣΩΡΕΠΙΣΚΟΠΟΝ προβληθέντα, ἢ ΠΡΩΤΟΠΑΠΑΝ, κἀνταῦθεν εὐπορήσαντα, καὶ ἀνάγκην ἔχοντα τοὺς πενομένους χειραγωγεῖν, πολλῶ δὲ μᾶλλον τοὺς πένοντας κληρικούς· κ. τ. λ.*

Lewis on *Suffragan Bishops*,
pp. 12, 15, 25.

With regard to the incomes of our English *chorepiscopi*, I may just note, by the way, that although there was no distinct revenue provided for the *suffragans* settled by the Act of Henry VIII., they had a very handsome maintenance;—being, commonly, dignitaries of the church, and possessed of very considerable cures. Indeed, the canons of MDCIII. suppose them to be entitled to fees for causes incident to their office. See can. xxxv. Dr. Pegge thinks they had certain perquisites of office, presents, &c.; but quotes no authority for it.

which he may have been legitimately entitled in those days, but of which¹ few vestiges now remain on record, and none, I believe, in practice. We have “no rents”

(¹) On the admission of a member of the rural chapter, the council of Treves orders the payment of one Rhenish *aureus* to the dean:—and on the death of an incumbent, the dean was to receive, for his own use, three golden florins, being himself answerable to the bishop for one mark, on account of the deceased. Besides these, there were a few other contingent profits attached to the deanial office.

“It is supposed,” an anonymous writer says, “that the diocesans used to allow the deans the profits of spiritual causes of inferior importance, and the fees, or a salary at least, for holding courts and dispatching business, in order to enable them to bear the burden of the deanship.”

Mr. Blomefield thinks the different branches of their office and jurisdiction in Norfolk were of considerable profit, or else we should be at a loss to account for the exchanges that we frequently meet with between rectors and dignitaries of the church, and the rural deans of Norfolk. And, certainly, if we look at the sums received by the dean of Norwich in commutation of *penance*, we must acknowledge that this department of their office was at least a very productive one. (See *Part v. Sect. II. chap. v.*)

“In the *Valor* of MDXXXIV., the names of the rural deans then in each deanry, within the archdeaconry of Dorset, are mentioned, and the archdeacons are said to have paid them *1xs. iiijd.* each, as an annual stipend; but this appears,” Mr. Boswell says, “to have been afterwards disallowed by the court of the diocese.” The rural dean is placed at the head of the beneficiaries and others of each deanry; but in the column of appreciation there is no sum affixed to his name in the original *Valor*.—EDITOR.

Two centuries and a half earlier, in the diocese of Lincoln, the rural deans considered that they had cause of complaint to the bishop against the archdeacon, for not allowing them something “*in recompensationem suorum sumptuum et laboris*”: and, it seems, that the archdeacon, whose “*subditi*” the deans are said to be, could not compel them to exercise their function, against their will, “*propriis stipendiis*”—(which looks as if there was no allotted stipend to the office);—wherefore the bishop, for peace and quietness, urges the archdeacon to endeavour to carry his point “*per allectivas exhortationes*.” See *Appendix, Lincoln Documents*.

SS. CC. Tom.
xix. col. 1453.

A Humble Proposal for Parochial Reformation, &c.

Hist. of Norfolk,
Vol. II. p. 227.

See Printed Valor Hen. VIII.
Vol. i. p. 231.

Boswell's Eccl. Division of Diocese of Bristol,
p. 16.

Oughton's Formular. Vol. II.
p. 156. A.D.
MCCXCIII.

—"no comings-in"—"naught else but place, degree, and form" (*Hen. V. A. iv. S. 1.*); save where the rural dean¹ has archidiaconal power, as in the isles of Jersey and Guernsey.

CC. Rotom. Prov.
P. I. p. 215.

Stat. Synod.
Dioc. Ypresf.
Tit. VII. cap. IV.

Thomassin. V. et
N.E.D. Tom. II.
P. II. L. III.
c. LXXVI. p. 795.
IV.

SS. CC. Tom.
XXI. col. 713.

Jur. Eccl. Univ.
P. I. T. VI. c. IV.
p. 31.

To the expence of chapter-holding, without any appropriated fund for the purpose of defraying it, may be attributed, perhaps, the increasing rarity of subsequent conventions in many continental dioceses.—"*Ordinariè ter in anno, et non sæpiùs*," says the diocesan synod of Ypres (*A.D. MDLXXVII.*), "*absque singulari causâ, convocent omnes suos pastores decant*;"—specifying the particular times of their assembling, and the subjects of attention suited to each period. The council of Rheims (*A.D. MDLXXXIII.*), for the curtailing of expence, orders that chapters be held only twice in the year—"Non in tabernis et popinis, sed in ecclesiis;" and that the acts of such half-yearly capitula be laid before the bishop in council. The same annual number passed the council of Rouen two years before—"ad cleri levamen"—as the canon expressly states—"Ille calendarum (scil. decanorum ruralium) bis ad summum in anno habeantur, ne clerus nimio labore et sumptu gravetur, et in eis assistant curati, et vicarii, cum habitu et tonsurâ decenti, sintque omnes modico cibo, potuque contenti, ne populo suâ intemperantiâ aliquod scandalum afferant."

The diocesan synod of Malines (*A.D. MDCIX.*) farther reduces them to once:—"Archipresbyteri capitulum pasto-

(¹) The fees paid to the rural deans of Jersey and Guernsey, the reader will find in the *Appendix* to Falle and Morant (*Cæsarea*, p. 220)—under the head of "*Table des droicts appartenants au doyen, et à ses officiers, pour toutes causes ecclésiastiques.*"

rum annuum celebrabunt;”—which appears, from Van Espen, to be the prevalent usage of the Belgian churches of modern days—the archpriests annually summoning their chapters on some specific day appointed by the ordinary of the diocese. See *Statut. Diœc. Gandavensf.* Tit. XVI. c. v. A.D. MCCCCL.

But, more than half a century before the last-mentioned date, the archbishop of Milan, having instituted his foraneous vicars, and wishing to approximate his rural church-polity as near as possible to the good old times, of which he was so ardent an admirer, returned to the ancient custom of *monthly* congregations—“Can. XXIX. . . . *Hi vicarii regionis sibi per episcopum commissæ, presbyteros cujuscumque conditionis, curam animarum habentes, semel singulis mensibus, modò in unam, modò in aliam ejus regionis parochialem ecclesiam cogant, idque in orbem eodem ordine semper faciant.*”

SS. CC. Tom.
XXI. col. 42.

The same primitive fashion was adopted by Bishop Bedell, an Irish disciplinarian of no mean name, in the first synod of Kilmore (A.D. MDCXXXVIII.)—“VI. *In quovis decanatu, in oppido ejus principali, conventus, sive capitulum sit ministrorum quolibet saltèm mense, ubi lectis plenè publicis precibus, concionentur per vices sine longis precibus et proæmiis.*”

Barnet's Life of
Bishop Bedell,
p. 185.

Calendarly conventions were also continued, about the same time, in the province of Rouen:—“*Les petites calendes de chaque doyenné,*” says a statute of Rouen (A.D. MDCXXVIII.) “*seront tenues aux lieux et aux temps accoutumés de toute antiquité. Les doyens des lieux y présideront, et en leur absences les plus anciens curés, là se termineront les moindres différens mis entre ceux du doyenné, il sera fait un mémoire ou abrégé des choses qui*

CC. Rotomag.
Prov. P. II. p. 125.
Statut. XIV.

seront à demander, pour être représenté au synode suivant par un ou plusieurs personnes élus entre ceux du doyenné, avec défenses aux doyens d'y permettre aucune yvrognerie, ni d'exiger d'argent ou autre chose, sous quelque couleur ou prétexte que ce soit."

CC. M. B. et H.
Vol. iv. p. 562.

A fruitless effort to revive *monthly meetings* of the rural deans and their respective clergy in England (under a new modification—the outline of which was *probably* derived from Archbishop Usher's *Synodical Form of Church Government*) was made in the year MDCLX., by *His Majesty's Declaration concerning Ecclesiastical Affairs*; in the fifth canon of which document, it is enacted, "that the rural dean, with three or four ministers of each deanry, chosen by the major part of all the ministers within the same, shall meet once in every month, to receive such complaints as shall be presented to them by the ministers or churchwardens of the respective parishes; and also to compose all such differences betwixt party and party, as shall be referred unto them by way of arbitration; and to convince offenders, and reform all such things as they find amiss, by their pastoral reproofs and admonitions, if they may be so reformed: and such matters as they cannot, by this pastoral and persuasive way, compose and reform, are by them to be prepared for, and presented to the bishop—at which meeting any other ministers of that deanry may, if they please, be present and assist, &c."

Thus was the *menstrual* type not only the earliest in the annals of the rural clergy's conventions, but it apparently survived the latest, both in England and on the continent. In proof whereof, the year before the quoted restoration of capitular meetings in our own deanries by

King Charles II. (the last evidence we have of such associations in our island), the synod of Namur (*A.D.* Van Espen
I. E. U. P. I.
Tit. vi. cap. iv.
p. 31. MDCLIX.) revived the ancient pastoral assemblies of the country clergy in *monthly* chapters, independent, seemingly, of archiepiscopal controul:—"Ubicunque hactenus," says the canon, "*pastores non sunt redacti in classes, qui singulis mensibus, et certo statuendo die, vel horis conveniant, ibique tractent de promovenda pietate in DEUM, zelo animarum, et de scientia pastoribus necessaria, fiat quantocius, ubi per temporum difficultates, et armorum strepitus licebit. Præscribentur quoque libri tam pii, quàm theologici, quos ante proximum conventum legere tenebuntur, et in quibus examinandum vel è quibus disputandum, et cum confratribus conferendum erit.*"

Nay, as late as the year MDCCXXVII., the tomes of the councils present us with a canon of the council of Ambrun, enjoining the *parochi* of that diocese to have recourse to *menstrual* conventions of the same type of primitive equality;—no rural dean being noticed as presiding over them:—"Singulo quoque mense, excepto hyberno tempore, viciniore simul undè conveniant sacerdotes, de iis quæ ad scripturam sacram et theologiam moralem pertinent, disceptaturi. In his verò kalendarum comitiis, ut decet ministros Christi sapienter se gerant, et quæ inter ipsos agitata fuerint, ad episcopum referant, ut quod statuendum censuerit ad ipsos remittat."

Upon the character and utility of these pastoral congregations of the country-clergy, from which archpresbyters are excluded, or at least absent, Van Espen has the following sensible remark—"Dum hæ pastorum congregationes modestè, piè, ac vero pastoralis zelo instituantur, nemo de earum fructu et utilitate dubitare poterit; summum tamen

Jur. Eccl. Unto.
P. I. Tit. vi.
cap. iv. § 1v.
p. 31.

erit adjumentum, si inter eos sint aliqui scientiâ, pietate, et zelo eminentiores, qui juniores aut rudiores, vel tepidiores erudire vel excitare queant; sedque autoritate et eruditione congregationem dirigere”—an advantage, which, it seems, would be at once secured by the judicious selection and well-appointed presidency of rural deans, as prolocutors of these little sacerdotal sessions.

Where no notice occurs of the presidents of the deanries acting as prolocutors, it is probable the rural-decanal office existed not. For it would be both natural and agreeable to established church-usage, that the dean rural, where found, should take the chair on such occasions, as the representative of the bishop, and preside over the deliberations of a society, of which each individual member was subject to his vicarious superintendence.

But, to go back to the more perfect form of chapters—of which the superior ecclesiastic of the district was the official head—for the mere priestly meetings, having nothing to do with deans rural, must not carry us farther away from the main drift of our inquiry:—the next branch of which is, to collect the various measures, or items of business, to which the attention of decanal synods was directed, at their different times of meeting, and to endeavour to reduce them into some sort of order and arrangement.

SECTION II.

THE BUSINESS TRANSACTED AT Rural Chapters.

CHAPTER I.

PRELIMINARY REMARKS.—THE DRESS OF DEANS AND CLERGY AT Rural Chapters.

TOUCHING the business transacted at clerical sessions under the presidency of deans rural—what matters were entertained by the *monthly* chapters or *kalendæ*—what by the *quarterly* conventions—it is impossible, at the present time, so distant from the period of their entire abolition, to discriminate. The distinction of cases and courts is rarely observed in ancient histories and councils; and, in the silence of contemporary records, it is vain for modern curiosity to attempt accuracy of arrangement, founded, as it must be, on mere conjecture.

As far as classification can be carried, it will be attempted in reference to the subject-matters brought before these curiæ in general;—but without always distinguishing the courts themselves, whether *monthly* or *quarterly*. Indeed, the twofold distinction of courts is barely noticed out of our own islands. Different dioceses of the continent held their periodical sessions of the rural clergy at different times; but the *quarterly* and *menstrual* types were rarely both observed in one

and the same continental diocese, whatever distinctions may have prevailed at home.

*Provincial L. 1.
Tit. 11. p. 14. g.
in v. capitulis
ruralibus.*

Where both obtained—whether in England or abroad—it may be said that the *quarterly* were deemed competent to the discussion and decision of matters of rural church-polity above the cognisance of the *menstrual* capitula, and were more fully attended by the district clergy in consequence. They were called, according to Lyndwood, "*Principalia capitula propter maiorem confluentiam cleri, et quia in hiis de negotiis arduoribus tractari consuevit.*" While ordinary matters were transacted at the *menstrual* assemblies, difficult cases stood over to the *quarterly* sessions. Nor is it improbable that the latter were courts of appeal from the verdict of the minor and more frequent *curiæ*.

*See Ayliffe's Pa-
rergon, 318. &
Burn's E. L.
Vol. 1. p. 269.*

The jurisdiction of both, like that of the rural dean in his individual capacity, was, for the most part, *voluntary*:—but it will hereafter appear, that, by delegation or otherwise, the chapters exercised, at one time, considerable *contentious* jurisdiction, as *curiæ Christianitatis*.

However, not to bewilder the reader or myself with legal technicalities at present, let it suffice that the rural capitula in general, whether *quarterly*, *monthly*, or *occasional*, had the same object in view—the advancement of religion and the interests of the church, and the detection and suppression of vice, within the sphere of their influence and rule. Such was their main design:—and, bearing this in mind, we will proceed (after a few preliminary remarks on the costume of the clergy on these occasions) to the various subjects with which rural chapters in general were *properly* and *at all times* conversant;—deferring to our later pages those which fell under their

cognifance only *incidentally* and *occasionally*, and formed no effential part of their original inftitution¹.

The *deans* themfelves, and their *sub-deans*, in capitular afsemblies, are ordered by the *Synodal Statutes* of Walter and Simon, bishops of Norwich (*A.D.* MCCLVII.), on pain of punifhment for difobedience, to drefs their perfons in clofe copes²:—"Detant et bice-detant in fuis capitulis, et ubi coram eis iudicium exercetur, et coram fuis prælatis,

CC. M. B. et H.
Vol. i. p. 735.

(¹) The former might, perhaps, and for the moft part, be called, in the language of the ecclefiaftical courts (of which, by the way, I muft plead unqualified ignorance, and therefore ought not to venture to ufe), the *voluntary*; and the latter, the *contentious* jurifdiction of rural chapters. *Voluntary* jurifdiction, in the author's meaning, would extend to fuch matters as are tranfacted without any folemn procefs of judicature, in a deliberative rather than a judicial court; fuch as are contained in the following two chapters, viz. CC.II. and III. *Contentious* jurifdiction implies a judicial power, in the court which exercifes it, to enforce its enactments by penal inflictions of fome kind or other:—fuch matters are contained in CC.IV. V. VI. VII. VIII. IX.; while, again, CC.X. XI. would fall under the former, or *voluntary* divifion. But the author is afraid to put forward terms, of the ufe and application of which, elfewhere, and by wifer heads (*φειδύμενα σωφροῦν*), he is fo profoundly ignorant. He would not oftentatiously affume an accuracy, to which he well knows he has no real claim. The terms, therefore, where they occur, he hopes will be mercifully dealt with.

(²) If the reader wifh to be instructed in the form and fafhion of *copes*, he may confult Watts's *Glossary*, in voce *capa*; and Mr. Whitaker's *Cathedral of Cornwall*, Vol. i. pp. 178, feqq.: in the latter of which authorities (Vol. II. pp. 123, feqq.) he will find fome curious remarks on the early garb of the clergy, and more particularly on the *caracalla* (the archetype of the modern *cassock*) noticed by Bede (*Hift. Ecclef.* i. 7.) as worn by Saint Alban, the protomartyr of Britain, and feemingly overlooked by Bingham as an habiliment of fpiritual perfons at that early date. He will alfo find a fund of information on *clerical coftume* in Muratori, *Antiquitates Medii Ævi*, Tom. II. col. 414, feqq.

The Ancient Cathedral of Cornwall Hiftorically surveyed,
2 Vols. 4to. London, MCCCXV.

SS. CC. Tom.
XIV. can. vi.
col. 449.

et in congregationibus clericorum, cappis clausis decenter utantur, &c.”—a canon extended by the council of Château-Gontier to their appearance at all places within the limits of their jurisdiction, and generally in public:—
“*Detant rurales, infra jurisdictionum suarum metas, et aliis publicis locis, deferant cappas clausas; alioquin super hoc per episcopos corrigantur.*”

CC. Rotomag.
Provinc. P. i.
p. 152. can. xxi.
Thomassin. V. et
N. E. D. Tom. i.
P. i. L. II. c. vi.
p. 227. II.

Again, by the council of Saint Omer (A.D. MCCLXXIX.), they are charged to pay particular attention, at the calendæ, to the garb and tonsure of all the clergy under their jurisdiction, that both be strictly canonical¹. The like to which is enjoined by the earlier council of Lambeth (A.D. MCCLXI.), on all “*qui privilegio clericali gaudere voluerint, quod tonsuram decentem, et coronam rasi capitis deferant competentem; maxime coram ordinariis suis, et in ecclesiis, et in congregationibus clericorum.*”

CC. Rotomag.
Prov. P. II. p. 125.
Statut. xv.

Decency of costume, on these occasions, was equally enforced by the councils of Rouen, Seez, and Lisieux, at a much later period: “*Il est enjoint à tous cures, tant de la ville que des champs,*” says the council of Rouen (A.D. MDCXXVIII.) “*comparoir aux synodes et calendes en habit décent, surplis et escole, à peine de dix livres d’amende; ce qui sera notifié aux petites calendes, afin que personne n’en prétende cause d’ignorance.*” See also the synod of Seez (A.D. MDCLIII.), and that of Lisieux (des calendes) to the same purpose.

Ejusd. p. 441.
p. 517.

CC. Rotomag.
Prov. P. I. p. 152.
can. xxi.

(¹) “*Alioquin si post trinam admonitionem,*” continues the canon, “*per intervalla debita factam eisdem super prædictis, contemserint tonsuram et habitum deferre prædictos, et in delictis enormibus fuerint deprehensi per justitiam laicalem, non defendentur per ecclesiam quoad hæc, quominus inde à justitiâ seculari debite puniantur.*”

CHAPTER II.

PUBLICATION OF CHURCH-CANONS, DECREES, &c.

AS mere vehicles for¹ promulgating recently-issued decrees of provincial and diocesan councils, and for impressing, by periodical recitations, the perpetual obligation of more ancient statutes, to which the church was desirous of soliciting the particular attention of the country clergy, rural chapters were subsidiary, in an eminent degree, to ecclesiastical government.

(¹) An anonymous writer of the early part of the last century says that "rural deans, in their periodical chapter-courts, proclaimed, from time to time, such royal proclamations, injunctions, and admonitions, as were issued by the state." Perhaps they did so. *A Humble Proposal, &c.* chap. vii. p. 32.

When Edward I. visited France in the year MCCXCIII., and enjoined prayers to be offered up during his absence, it was imposed on the deans, rural and clergy under them, to see that the royal mandate was duly attended to on all Sundays and festivals: and probably, the deans, who on this occasion received their instructions from the archdeacon of Canterbury, promulgated them in their rural capitula, as convenient courts of publication. *CC. M. B. et H.* Vol. II. p. 197.

"The Injunctions given by the authority of the King's Highness to the clergy of this realm (A.D. MDXXXVI.)" are ordered by the lord-keeper Cromwell "to be kept and observed of the dean, parsons, vicars, curats, and stipendiaries resident, &c. within each deanery;" but there is no order of publication in rural chapters. Still, the Injunctions were, probably, so published, as the most effectual way of making them known in rural districts. *Burnet's Hist. of the Reformation*, Vol. I. P. II. *Records*, B. III. No. VII.

By the Meath canons (A.D. MCCXVI.), the deans are bade to procure copies of the laws and constitutions of provincial and diocesan synods, to publish them in their chapters, and to enforce the execution of them;—explaining their meaning “*in singulis articulis*,” to the full comprehension of their audiences, and admonishing the clergy to promulgate such of them again to their respective flocks, as concerned the laity:—“*Curent in-
super transcriptum fieri statutorum provincialium et dioce-
sanorum, eaque in singulis capitulis post proximos synodos
recitari faciant et exponi clero infra suos limites, nequis
peccet in eadem per aliquem prætextum ignorantie; admo-
neant etiam curatores animarum, ut populo infra suas
parochias publicari faciant et exponi eas constitutiones,
quæ ad plebem spectant et pertinent.*”

CC. M. B. et H.
Vol. i. p. 547.

See also SS. CC.
Tom. XIX.
col. 1292.

Conc. Colon. i.
can. XIX. A.D.
MDXXXVI. and
Manfi Supplem.
ad SS. CC. Tom.
III. col. 39. A.D.
MCCCLXXVII.

As presidents of the chapters, the deans made solemn announcement to the assembled clergy of what cases were especially reserved to the apostolic, and what to the diocesan see—“*Decani suis capitulis seu talentis exponant
casus sedi apostolicæ et diocesanis reservados &c.*”—in order to prevent any inferior court from presuming to interfere beyond the just limits of its own authority. These cases, to aid the recollection of the ignorant, the church of Bayeux in Normandy thus verified for recitation at rural-decanal chapter-courts.

Conc. Rotomag.
A.D. MCCCXI.
SS. CC. Tom. XV.

Ex Synod. Bajoc.
can. LXXXVII.

“Qui mittendi sunt ad Papam, et qui ad Episcopum”—

*Incestum faciens, corruptens, aut homicida,
Sacrilegus, patrum percussor, cum sodomita,
Clerum percutiens, Romam petit. Exciipiuntur
Nescius, erudiens, leviterque jocans, minor ætas,
Janitor officii prætextu fortè repellens,
Adjunctus cum personis feriens coeuntes,*

*Femineus sexus, claustralis, et ægra senectus,
Pontificem quæras: papam, si miseris ignem,
Si percussisti clerum, simonita fuisti,
Si malè de bulla papæ tractaveris ullâ."*¹

By the *Synodal Constitutions* of the bishopric of Arras (*A.D.* MCCCLXXV.), the names of all presbyters, who dared to give absolution in such cases as were reserved to the episcopal see, were to be presented by the deans to the bishop. But there were some cases of minor consequence from which they (the presbyters) might absolve; and in the canonical forms of absolution, suited to these occasions, the deans were to examine and instruct the clergy (particularly the newly-ordained) at their capitular meetings. And of course, as ordinary presbyters were privileged to absolve offenders in cases of secondary guilt, so were there "*casus minores*"—recapitulated at decanal synods for the edification of the rural clergy—from which our superior ecclesiastics were authorized by the church to grant absolution².

*Const. Synodal.
Episc. Attrebat.
de Sacramento
Confessionis.*

*Ejusd. A.D.
MCCCLXIV.*

(¹) If the reader desire a fuller account of the *casus episcopales*, as they were chanted or read in the decanal sessions of the day, he will find it in the ninety-third canon of the council of Treves (*A.D.* MCCCL.), in Colet's edition of the *SS. CC.* Tom. XIV. col. 1453.

(²) Under the "*Articuli Diœcesani Synodi*" of Rouen (*A.D.* MCCCLXVI.) "*De casibus reservatis*," we have a list of the "*casus minores à quibus absolvent decani rurales*."—These are: "XVIII. Incestus minor, scilicet in tertio et quarto gradibus. XIX. Homicidium casuale. XX. Mutatio unius diei in alium diem ex rationabili causâ. XXI. Perjurium et mentita fides coram quocunque iudice et quâcunque ex causâ: exceptis supranominatis casibus, et quibus ad D. Archiepiscopum, vel ejus penitentiarium in matre ecclesiâ residentem, dictum fuit quod est remissio facienda. XXII. Sacrilegi et blasphemii notarii et publici. XXIII. Corruptio monialium et virginum. XXIV. Vitium minus contra

*CC. Rotomag.
Prov. P. II.
p. 104.*

A Humble Proposal for Parochial Reformation, &c.
chap. VII, p. 32.

“Whatever sentences of excommunication had recently passed the church, with the names of the excommunicated, and the places of their abode, were, at the same time and court, *declared* by the official president;—that each minister present might acquaint his congregation therewith, on returning to his parish, and the people might avoid all intercourse with the guilty, as being impious and profane.” And to insure an accurate enumeration of the excommunicated, on such occasions, the *deans* are commanded by an Arras synod (under a penalty of 20*l.* and excommunication in their own persons) to keep a register of all violators of church-disci-

Const. Synodal. Epif. Aitreb. A.D. MCCCLV. De Sententiâ Excommunicationis.

contra naturam. xxv. *Abutentes literis apostolicis D. Archiepiscopi, et curiarum ipsius.* xxvi. *Levis injectio manûs in clericos et religiosos personas, si injicientes fuerint infra annos pubertatis constituti.*” From all the crimes of this long catalogue, the *deans* rural gave absolution to offenders at their capitular sessions; or, if the cases required instant despatch, and there was no time to call together the clergy, the *deans* had authority to absolve in private and alone, as already shewn under the division of *personal duties*.

It was possible for an offender to be the subject of more than one sentence of excommunication at the same time, and his being discharged from one did not imply *entire* absolution: wherefore the synod of Constance (A.D. MCCCLXXV.) enacts: “*Beati præcipiant in laudis, et ipsimet faciant, quod si aliquis excommunicationibus sit ligatus; si absolvant ab una, non tamen denuncient absolutum, quamdiu sciverint aliquibus aliis excommunicationibus innodatum, mandatis officialis non obstantibus.*”

CC. Rotomag. Prov. P. II. p. 565.

J. Taylor's
Holy Living and Dying, c. v. § IV.
Works by Heber, Vol. IV.
p. 523.

(1) “It is the office of the presbyters and ministers of religion to declare public criminals and scandalous persons to be such, that, when the leprosy is declared, the flock may avoid the infection; and then the man is excommunicate, when the people are warned to avoid the danger of the man, or the reproach of the crime, to withdraw from his society, and not to bid him God speed, not to eat and celebrate synaxes and church-meetings with such, who are declared criminal and dangerous.”

pline so punished, the name of the judge who passed the sentence, that of the promoter of it, the date, and the nature of the offence itself—whether “*pro re cognita, judicata, vel confessata, vel manifestata, an pro contumacia vel contemptu.*” And in order that the deans might be duly furnished with the names of delinquents lying under sentence of excommunication beyond the period of a year, (within which limitation all excommunicates were bound to solicit absolution and reconciliation, or were to be compelled by the secular power), the parochial clergy are bade, by the same constitution, to denounce them to the deans, at home or at chapter, within eight days from the expiration of the time; and the latter again, within eight days more, to the bishop’s official¹.

Ducang. Gloss.
in v. Tom. III.
col. 120.

Whenever papal letters were required in England confirmatory of sentences of excommunication (previously issued by our insular metropolitans), the mandates were addressed, through certain *conservatores*, to the bishops, and their official deputies, the deans; that they might be *published* in the periodical conventions of the latter, “*dilucidè et distinctè, in lingua Anglicana et Gallicana;*”—every possible publicity being imparted to these judgments and their ratifications, in provincial, diocesan, and local courts; nay, even in parochial churches:—of which the *Annals of Burton* afford an example, in the year MCCLV., during the reign of Henry III. and papacy of Innocent IV.

Annales Monast.
Burton. pp. 330,
seqq.

Nor was the *publication* less general, when the *standing*

(¹) See also the *Mandates* of Maurice archbishop of Rouen, to the deans of that province, “*adversus regem bona Rotomagensis ecclesie occupantem*” (A.D. MCCXXXIII.) *CC. Rotomag. Prov. F. II.* p. 50.

Provincial. L. v.
Tit. xvii. p. 353.

sentences of excommunication were the subject of attention. To give notoriety to this part of the penal code of the church within the province of Canterbury, it was enacted by Archbishop Peckham, that, on the Sunday immediately following the dissolution of each chapter, every member, on returning to his parochial cure, should *proclaim* in his church the eleven *standing* sentences of excommunication, contained in the third canon of the provincial Reading *Constitutions* (A.D. MCCLXXIX.), and should explain them to the people of his charge.

CC. M. B. et H.
Vol. II. p. 36

By the same metropolitan, again, it was particularly decreed, that, in the four *principal* chapters of the year, the statute of Othobon (the papal legate in England A.D. MCCLXVIII.) "*contra concubenarios*," should be *re-hearsed*, by way of monition to the clergy, "*distinctè et apertè coram toto capitulo*," either by the archdeacons, or their officials, or by the deans rural, or their deputies, the laymen being first dismissed. The latter were allowed to be present during the agitation of such matters as were of common and general concern; but were to be shut out at the proclaiming any orders, or denouncing any censures that related to the clergy:—" *Ne audientes recitationem ejusdem*," says Lyndwood in his gloss, "*forsàn contra clericos ex ipsorum malitiâ solitè amplius debaccharent*"—"a wise method," subjoins Kennett, "to preserve the reputation of the sacred function."

Provinciale,
p. 15. gl. in v.
Excoisys laicis.
Paroch. Antiq.
Vol. II. p. 349.

If any one maliciously impeded the *recitation* of this statute, he was to be, *ipso facto*, under sentence of excommunication. And if any dean, or his representative, neglected to recite it, he was to fast every Friday on bread and water, in virtue of obedience (unless prevented

by bodily infirmity); till *recitation* was made by himself, or other person, in some sublequent chapter.

To the quarterly *publication* of this legatine statute, Archbishop Winchelsey adds, in his *Anathematizatio* (A.D. mcccx.), those of Otho, Stephen Langton, and himself, for the reformation of church abuses at large, on penalty of excommunication;—ordering the whole to be advertised “*per decanos, archipresbyteros, præpositos, &c., in suis quatuor capitulis principalibus, ecclesiisque sibi subiectis.*” And upon these, again, later archbishops, and even diocesans¹, accumulated the periodical *rehearsals* of the canons of their respective councils.

CC. M. B. et H.
Vol. II. p. 402.

On the continent, about the period alluded to, the quarterly *decanal* meetings of the dioceses of Le Mans and Treves were occupied, in like manner, in *giving publicity* to ecclesiastical statutes, and keeping up a lively recollection of the same in the minds of the clergy, by periodical *recitations* of the *Libri Synodales*: —“*Universis decanis præcipimus,*” says a council of Le Mans, “*in virtute obedientiæ districtius injungentes, quatenus eorum quilibet presbyteros sibi subjectos quater in anno ad suam vocent præsentiam, ubi et quandò viderint expedire, ut ubi singulos Libros suos Synodales perfectos et correctos afferant, et in eorum congregatione legat unusquisque aliquam Libri particulam quam decanus jussit*

Statut. Synodal.
Ecccl. Cenoman.
Thesaur. Script.
Vet. Tom. VII.
cols. 113, 1401.

(¹) In the diocese of Norwich, it was ordered, that each *Dean* should preserve a copy of the *Synodal Statutes* of Walter and Simon, bishops of Norwich (A.D. mccclvii.), for the regulation of the spiritual concerns of that diocese; and take care that a copy was kept in every church of his *deanry*. If the bishop, or his official, visited any church and found no *Synodal Statutes* therein, he was to inflict condign punishment for such negligence.

CC. M. B. et H.
Vol. I. p. 735.

injungendam; ita ut in quatuor vocationibus supradictis totus Liber legi valeat et exponi. Eos autem qui ad vocationem decani cum Libro non venerint Synodali, remittat decanus episcopo suspensos ab officio, nisi legitime fuerint excusati." See also, to the same effect, the eighth chapter *de decanis*, can. LIX. of the third council of Treves, A.D. MCCXXVII. At a much later date, a synod of Bois-le-duc decrees:—"Archipresbyteri in capitulis *Statuta Synodalia, præsertim parochos concernentia, legi curabunt, eosdemque ad eorum observantiam adhortabuntur &c.*"

*Stat. Synod.
Bischof. Tit. XVI.
cap. v.*

*Decreta Synodi
Tornacensis,
p. 54.*

And more fully a synod of Tournay (A.D. MDLXXIV.), speaking of decanal convocations, enacts—"In his convocationibus, ante omnia palam, et intelligibili voce, per unum ex parochis, quem decanus nominaverit, nostra Statuta, Synodalesque Constitutiones legantur: et si quos abusus contra has commissos deprehenderit decanus, suos parochos, recepto à singulis juramento, dictos abusus scripto fidelitèr tradere compellet, quos postmodum cum sufficienti instructione, ad curiam nostram corrigendos referat."

*Decreta Synod.
Provinc. Aquens.
p. 123.*

Lastly, a synod of Acqui (A.D. MDLXXXV.) enacts—"Vicarii foranei (in suis conventibus) libellum de casibus conscientie apostolicæ sedi et episcopis reservatis metropolitani curæ edendum reliquis sacerdotibus legent, et aliquot capita, tum harum Constitutionum, tum earum, quæ in synodis diæcesanis fiunt, simulque aliquid ex probatâ aliquâ summâ de casibus conscientie explicabunt." See also *SS. Rotomag.* Part II. p. 254.

CHAPTER III.

INFORMATION AND REFORMATION OF CHURCH-ABUSES, &c.

IN addition to the local publication of recently-issued canons and constitutions of provincial and diocesan synods, and the recitation of extracts from elder codes of perpetual obligation, a farther and paramount object of the institution of rural chapters was, that the deans, who presided over them, might be enabled to obtain from the congregated ministers, either orally or by letter, a perfect knowledge of the moral and religious condition of their deaneries, and devise and execute measures for *correcting* defaults therein, or *reporting* them to the bishop. These matters appear, collectively, to have been the proper work of rural chapters, and to have constituted the principal part of what may be denominated their *voluntary* jurisdiction.

Gibson's *Codex*
I. E. A. Vol. I.
Tit. XLII. cap. IX.
p. 973.

In the archiepiscopal see of Rheims, at the first organization of these little *sessions* or *synods*, (accounted by Hincmar important aids to the maintenance of church-discipline) the presbyters of the different *deaneries* were urged by the archbishop to make returns of the behaviour of all penitents within their incumbencies—how each submitted to his penance and satisfaction:—“*Ut in actione pœnitentiæ pensare valeamus*,” writes the archbishop, “*quandò quisque reconciliari debeat*;”—such penitential services being imposed as punishments for

Hincmar's *Oper.*
Tom. I. p. 730.

the violation of ecclesiastical order, or for personal moral delinquency;—after atoning for which, admittance was again granted to the sinner into the bosom of the church¹.

CC. M. B. et H.
Vol. II. p. 170.

At these chapter-meetings, in general, from the date of their origin to that of their decay, reports were delivered of whatever was amiss in the respective parishes of the assembled ministers, in the economy of their churches, or the manners of the clergy and their people;—the priesthood being especially urged to tender such presentments in regard to the laity subject to their cure, and the deans, or their apparitors, in reference to the rectors, vicars, capellanes, or other ministers.

These subjects were entertained by the dean and chapter, for the most part, without the intervention of judicial process. They were discussed as in a deliberative assembly; and the ecclesiastical counsellors advised such alterations and amendments as the circumstances of each particular case required; or, if necessary, they reported the case to the bishop. But their jurisdiction ended not here;—the court had power, it seems, in *some dioceses*, of enforcing its proceedings *judicially*, without any previous reference to the bishop. It could render valid its decrees by compulsion; being authorized so to do, by permanent delegation of the diocesan.

The use of decanal chapters, as courts of *information* and

(¹) It was Hincmar's expectation, that the good of the church and the interests of its discipline would be advantaged by the chapter's receiving such reports of penitentiary progress; and it accordingly formed a leading branch of the *voluntary* capitular jurisdiction of Rhemish deans-rural during his primacy. The presentment at the chapter-court was a procedure in order to reformation.

reformation, was not confined to the ecclesiastical polity of Great Britain;—it obtained likewise abroad. In the diocese of Cambray, the rural chapters were much concerned in the *voluntary* correction of manners and reformation of church abuses:—“*In his capitulis de morum correctione, abusuum reformatione, de decretorum sacri concilii Tridentini, et hujus priorisque provincialis, necnon diœcesanarum synodorum (quatenus eos, eorumque officium concernunt) et si quæ præterea ab ordinariis eis mandata erunt, executione tractetur; quæ omnia ut ab iis quos contingunt, exactè serventur, seriò advigilabunt decani rurales.*” Again:—“*À singulis pastoribus in scriptis referatur status suarum ecclesiarum; item quidquid in eis defectus animadversum fuerit*”—(P. II. T. XIX. c. XVI.) “*Singuli pastores liberè pandent,*” says the synod of Antwerp (A.D. MDCX.), “*si in suis aut vicinis ecclesiis aliquos defectus aut transgressiones animadverterint.*” (Tit. XVI. c. II.)

To ensure the presentments being fully made on these occasions, the archpriests, as presidents of the chapter-courts, were to urge the same in their addresses, when exhorting the clergy to the proper performance of their other duties and observances. So spake certain Belgian synods:—“*Archipresbyteri in suis capitulis,*” says the synod of Bois-le-duc (A.D. MDCXII.), “*tanquàm pastores pastorum, et congregationis præfides, clericos ad statutorum synodaliū observantiam, ac diligentem munerum suorum adimpletionem et defectuum suorum parochianorum declarationem piâ et seriò oratiunculâ adhortabuntur. Et si quæ nos illis significata aut dicta voluerimus, ea nostro nomine exponent: deindè locum et tempus singulis pastoribus concedent ad suas difficultates in medium adferendum, et si quid inter eos ad mutuam benevolentiam adducere*

*Decreta Concil.
Prov. Camerac.
Tit. XIX. c. XVI.
p. 79. A.D.
MDLXXXVI.*

*Van Espen
I. E. U. P. I.
Tit. VI. c. IV.
p. 31.
Decret. Synod.
Antwerp. p. 329.
See Stat. Synod.
Diœces. Ypres.
Tit. VIII. cap. III.
p. 43. & cap. VI.
p. 325.*

*Synod. Ruscod.
sub Maïo. Tit.
XVI. cap. V.*

conabuntur." Or, if the archpriests themselves were unable to deliver such exhortation, they were to depute some of the assembled clergy to the office:—" *Ut omnes de abusibus aut negligentibus à postremâ congregatione per eos observatis sincerè deponant.*"

*Stat. Synod.
Diocæs. Audo-
mar. A.D.
MDLXXXIII.
p. 70.*

" *Ordinariè quotannis bis convocent decani ad suas ædes omnes suos pastores,*" says the synod of Saint Omer, "*ad ea quæ diximus tractanda; semel unâ aut alterâ hebdomadâ ante nostram synodum: iterum unâ aut alterâ hebdomadâ ante primam Octobris. Cum enim his temporibus decani coram nobis explicare debeant totum ecclesiarum suarum statum; oportet ut priùs cum pastoribus conveniant, atque hi particulariùs illis scripto expressum tradant statum illum, et excessus: deniquè difficultates suas declarent, ad nos unâ cum ecclesiarum statu referendas.*"

*Decreta Concil.
Prov. Camerac.
Tit. XIX. cap.
XVIII. p. 79.*

One month before the chapter's assembling, it was cautiously ordered, in the diocese of Cambray, that its approach should be notified to the bishop; in order that he might delegate some one to attend at it, in his name, and express his wishes; or that he might declare, by letter, such matters as were proper for the consideration of the session¹.

From all which synodical legislation, as it obtained in Belgium, Van Espen justly concludes the scope of these capitular meetings to have been—" *Ut abusibus et defectibus, aut difficultatibus, vel mutua collatione occurrì et mederi possit; vel eorum haberi exacta notitia; quâ habitâ*

*C.C. Rotomag.
Prov. P. II. p. 78.*

(¹) The synod of Rouen (A.D. MCCXLV.) bids ecclesiastic officers to be specially careful—" *Quòd virilitèr et fidelitèr contra Baillivos et Vicecomites mandata curiæ exequantur, ac etiam contra alios potentes. Qui verò negligens vel remissus super hoc invenietur, punietur: et hoc eisdem decani presbyteris in suis capitulis.*"

de omnibus episcopus informetur ; et ejus auctoritate quod expedire judicabitur, statuatur."

But their object will be made more manifest (as far as the present branch of their jurisdiction is the subject of illustration) if we cite in detail an interesting description of this kind of clerical convention, according to the improved type adopted in the sixteenth century by the celebrated reformer Borromeo, archbishop of Milan. The whole economy of such a meeting is circumstantially set forth in the first provincial council (*A.D.* MDLXV.), under the section *De vicariis foraneis*. The vicars, it is true, are mediate between our deans and chorepiscopi ; and therefore the local gatherings are not to be identified with decanal chapters, strictly so called ; but the approximation of the vicarial to the decanal function is near enough to admit the description of a ceremony in which the reader will see much of the primitive character of these rural deliberative conclaves ; much that, probably, obtained in the "*conventus communes*" of our own church, spoken of by Lyndwood ; and much that, in modern practice, he might still perhaps approve. Some of the duties mentioned are personal ; and not capitular ; but it appears better not to differ them.

SS. CC. Tom.
XXI. coll. 42, 43.

Provinciale,
Lib. I. Tit. II.
p. 14. gloss. in v.
capitulis ruralibus.

The foraneous vicars assembled *monthly*, at the parochial churches, at each in succession, with the presbyters of their respective districts, as already stated ; and then the canon proceeds :— . . . "*Pridiè ejus diei quàm in unum locum conveniant, peccata sua omnes confiteantur : sequenti die in eà ecclesià, in quà coacti fuerint, missam singuli celebrent.*"

"*Tùm universi in choro missam conventualem pro mortuis, vel de Sancto Spiritu, solenni more canent ; in quà*

eorum aliquis, à bñctio prius admonitus, concionem ad populum habeat."

"Confectis sacris et habitâ processione circa cœmeterium, orationibusque consuetis, in domo rectoris illius ecclesiæ, unico tantùm ferculo contenti, eâ quâ decet modestiâ et caritate, cibum capiant."

"Deindè conferant inter se quæ ad boni pastoris officium, et ad curam animarum rectè gerendam pertinent: et consulant de difficultatibus et incommodis suæ parochiæ, quorum explicatio, vel remedium, aliorum consilium et operam requirat. Idem autem bñcti libellum de casibus conscientiæ episcopis, ac sedi apostolicæ reservatis, metropolitani curâ edendum, reliquis sacerdotibus legent; et aliquot capita tum harum constitutionum, tum earum quæ in synodo diœcesanâ decernentur, simulque quidpiam ex probatâ summâ de casibus conscientiæ explicabunt."

"Præcipuè autem de presbyterorum vitâ et moribus quærant, et quales se in pastoralis præbeant curâ."

"An eorum culpâ divinus in ecclesiâ cultus defideretur?"

"An re ipsâ præstentur ea, quæ episcopi, vel alii eorum nomine in ecclesiarum necessitatem, earumve reparationem impendi jusserint?"

"An libros habeant, quos ex decreto habere debent?"

"An reliqua in hac synodo decreta servantur?"

"De his omnibus, et si quid propriè mandârit episcopus, deque aliis quæ ad utilitatem animarum episcopi cognitionem defiderant, ipsum per literas diligenter certiore faciant."

"Quoties in urbem venerint, primum episcopum adeant; deque eorum statu, qui sibi commissi sunt, accuratè edoceant."

“Curati verò quicumque, etiam si quavis dignitate præditi, in iis, quæ ad officium suum spectant, bîcarit̃s quos diximus obtemperent.”

“Quòd si aliqui ad conveniendum negligentes, vel ad mandata eorundem bîcarĩorum exequenda contumaces fuerint; episcopi in illos pro modo culpæ animadvertant.”

“Hi autem bîcarĩi voluntatē episcopi ab officio amoveri semper possint; ac si malè id administrarint, pœnas dent ejusdem episcopi judicio¹.”

The Milanese bîcars, it here seems, were in the habit of laying the state of their respective bîcarĩtates (whether obtained from *personal visitation*, or from the *representation* of the clergy *convened* as above) before the bishop, and receiving his instructions thereon: and Van Espen relates such to have been the general custom of the Belgian churches:—*“Ut quotannis, certo designatoque die, omnes archipresbyteri episcopum accedant, atque cum illo de statu suorum respectivè districtuum conferant, exponantque quid singuli, tum in visitatione, tum congregationibus pastorum aut aliundè observarint; quidquid pro bono*

Jur. Eccl. Univ.
P. I. T. VI. c. IV.
p. 31.

(¹) See also the *Concilium Aquisense* (Appendix, Part I. § III.), *De SS. CC. Tom.*
bîcarĩis forañis, under Archbishop Alexander Canigian (A.D. MDLXXXV.);
xxi. coll. 42, 43,
who appointed these officers in the diocese of Acqui over eight or ten
1003.
contiguous parish churches:—*“constituto bîcarĩatu in aliquo loco in-*
figniori et frequentiori.”—*“Illis autem,”* continues the canon, *“eam*
facultatem tribuere poterit episcopus, quam ipse, et pro illorum erudi-
tione, et pro locorum temporumve ratione, tribuendam censuerit.” The
regulations, in general, are consonant to those of Milan; as are, likewise,
those of the *Concilium Tolosanum* cap. vi. *De bîcarĩis forañis, cele-* Col. 1281.
brated (A.D. MDXC.) under Archbishop Cardinal Francis de Joyosa.
Upon all these, the *Concilium Aquileiense* (A.D. MDXCVI.) has again Col. 1418.
accumulated others. The office is farther noticed, at length, in the
Concilium Amalphitanum (A.D. MDXCVII.)
Manf. Supplem.
ad SS. CC. Tom.
v. col. 1326.

parochiarum statuendum judicarent; ac deinde post mutam collationem, maturamque deliberationem audiant, quæ pro salute, ac utilitate animarum episcopus statuenda et ordinanda duxerit." It does not appear that these reports were delivered at the diocesan synods *alone*, as elsewhere stated, but on certain other days appointed for the purpose, both in Belgium and Milan.

Thomassin. *V. et N.E.D.* Tom. II. P. II. L. III. c. LXXVI. p. 794. iv.

The council of Rouen (*A.D.* MDLXXXI.) orders an annual repetition of the Tridentine creed by the clergy at the episcopal synod, or at the *diocesan* kalendæ:—it declares the great antiquity of the latter conventions—their object, and *then* abused condition—the foulest vices, drunkenness, and simoniacal exactions, having found admission into meetings which originally were instituted expressly "*ad censuram morum agendam &c.*" As an effectual way of lessening these abuses, the councils of Rouen, Rheims, and others, reduced the frequency of the kalendæ. So that, strange as it may appear, at one and the same time, and equally influenced by fervent zeal for the welfare of their respective churches, the Milanese councils were busily engaged in instituting or multiplying these rural assemblies of the *district clergy*, while the Gallican synods were as eager for their reduction, and almost entirely annihilated them:—" *Nemo verò nescit optima quæque desciscere et degenerare; recentèr efflorescere et novitate suâ commendari res, quæ longo post usu vitiantur et fordescunt.*"

CC. Rotomag. Prov. P. I. p. 215.

Thomassin. *ubi supra*, p. 795. v.

CHAPTER IV.

CONTENTIOUS JURISDICTION.

IN their legitimate constitution, our rural decanal conventions (otherwise called chapters, consistories, ¹calends, synods, and sessions) must be considered as exercising, *principally*, the kind of jurisdiction we have been describing; viz. a *voluntary*, and not a *contentious* jurisdiction. But, there was a time when they were acknowledged in England, France, Germany, and some minor European States, as rural courts of Christianity, subject to the arch-priest of each deanry, as their *judicial* president, with the dignified title of *Decanus Christianitatis*¹; from

Thomassin. *V. et N.E.D.* Tom. II. P. II. L. III. c. LXXVI. p. 794. SS. CC. Tom. XIX. col. 43. *Parochial Antiquities*, Vol. II. p. 349.

(¹) *Decanus Christianitatis*.—Mr. Somner, in his *Glossary* on the *Historie Anglicanæ, Scriptores X.*, thus explains this title, as it occurs in the *Chronica W. Thorn*, col. 1961. l. 23. (A.D. MCCXCIII.)—"Quem recentiores decanum ruralem, et ceteri archipresbyterum vicarium, antiquiores Angli Decanum Christianitatis vocarunt." And again, in v. *Christianitatis* (Sim. Dunelm. *Hist.* col. 54. l. 50. item. 55. l. 4. *De gest. Reg. Angl.* col. 227. l. 65.) he illustrates the term from the notes of Selden on Eadmer, p. 208:—"Christianitas, et ea quæ ad Christianitatem pertinent passim, apud Eadmerum atque alios illius ævi scriptores, functionem episcopalem, atque fori sacri actionem et administrationem seu officium episcopale, ut usitatius appellatur, denotant.—Hinc apud nos fora sacra, quibus, jure nempe communi subnixis; aut episcopi præfunt, aut ii qui eo nomine episcopos, utpotè quos provocare licet, suspiciunt, curia Christianitatis etiamnum vocitantur."

J. Seldeni Opera. Vol. II. ad Eadmerum *Notæ et Spicilegium*, col. 1678-79. Edit. Wilkins.

The reader will find more information on this subject in Mr. Somner's *Antiquities of Canterbury*, Part I. pp. 177--8;—in Father Rouvière's

History

whom appeal lay to the superior court-Christian of the diocesan bishop.

In which view, the chapter, whether *monthly* or *quar-*

History of St. John's Monastery at Rheims, pp. 628—9;—and Ducange's *Glossary* in v. Christianitas,—Christianitatis Decanus, &c. But I would have him beware of a long marginal note under this title, in the *Appendix* to Mr. Brown's *Fasciculus Rerum*, p. 364.—where, while finding fault with the remarks of the antiquarian lexicographer Ducange, Mr. Brown falls into the too common mistake of confounding the dean of Christianity with the cathedral dean: for which he is sharply rebuked by the Bishop of Peterborough, in his *Parochial Antiquities*, Vol. II. pp. 341, seqq. Kennett (*loc. cit.*) may be referred to, as usual, with advantage on the title of decanus Christianitatis;—which he says was *always* applicable to the dean rural, and *never* to the cathedral dean, simply as such, but only as connected with *urban* or *rural* churches, to which he might have accidental relation, and over which exercise official jurisdiction. In which sense, also, conventual deans *sometimes* were termed deans of Christianity.

Hist. of Manchester, Vol. II. p. 396.

From this statement Mr. Whitaker dissents; and Mr. Johnson questions its truth. The Historian of Manchester says, "Kennett has produced no proof that the rural dean is the same with the decanus Christianitatis; and the Benedictine enlargers of Dufresne's *Glossary* appeal, in corroboration of the opinion, to a single foreign case." Still, I agree with the Vicar of Ambrofsden, the fact is so; and to the solitary instance cited from a record of Stephen, bishop of Tournay, (A.D. MCXCII.), in the second Volume of Miræus, I have added innumerable others, and thereby established the truth of Kennett's first assertion. The *canones et decreta* of the provincial council of Cambray (A.D. MDLXV.), *de Scholis*, cap. I. can. VI., pointedly affirm the *identity* of deans of Christianity and deans rural—"Decani autem rurales, quos Christianitatis appellant, &c."

Decreta Concil. Cameracensis, p. 4.

Codex I. E. A.
Tit. XLII. cap.
VIII. p. 971.

Gibson leaves it to the judgment of the reader, whether any other dean besides the decanus urbanus had the style of decanus Christianitatis; after telling him, that, in a visitation of the archdeaconry of Exeter, it is particularly said concerning the city-deanry, "In decanatu Christianitatis civitatis Exon, &c."

Let

terly, was an inspectional and correctional court¹ of spiritual *judicature*; wherein much of the *contentious* jurisdiction which now belongs to the ecclesiastical courts was originally transacted, personal suits were adjusted, and, upon formal presentment made of offenders against the laws and discipline of the church, the Dean, after exami-

Let me add, that in the consistorial registry of the diocese of Dublin, the first of the rural deaneries is "*Decanatus Christianitatis Dublin.*" One of the ecclesiastical divisions of the county of Leicester is called *Decanatus Christianitatis*. In Pope Nicholas's *Valor*, we have, in the archdeaconry of *York*, *Decanatus Christianitatis Ebor.*; and in the *Valor* of Henry VIII. we have *Decanatus Christianitatis Ebor.* Vol. II. p. 313; and *Decanatus Christianitatis Warwic. Dioc. Wigorn.* Vol. III. p. 91.

Harris's Ware,
Vol. I. p. 299.
Pegge's Life of
B. Grossesle,
p. 88.

Dr. Atterbury, in his *Charge to the Clergy of the Archdeaconry of Totnes*, suggests that the Dean rural had the title of *Decanus Christianitatis* bestowed on him, because "he took order for, and certified the execution of processes and decrees out of the superior court-*Christian.*" But he afterwards altered his opinion; or, at least, so far doubted the correctness of it, that he struck the paragraph out of the manuscript copy of the *address* in his own possession.

Correspondence,
Sec. Vol. II.
p. 245.

The learned author of the *Vetus et Nova Ecclesiæ Disciplina* has a notion upon the subject peculiar to himself. It is ingenious; and I do not remember to have seen it elsewhere, except in Morisani (*de Protopapæ*, cap. XIV. p. 271.), who derived it from Thomassin:—"Non mihi tempero," says the latter, "*quin hic obiter dicam, probabiliter satis conjici, hos Christianitatum decanos nominari propterea quod eis præficerentur ecclesiæ, quas supra semel et iterum advertimus plebes esse dictas; quodque in iis baptismus celebraretur eorum omnium, qui toto decanatu illo nati erant parvulorum, baptismales ecclesiæ. Id certe sonat Gallico etiamrunc idiomate vox illa Christianitatis.*"

Vetus et Nova
Ecclesiæ Disci-
plina, Tom. I.
P. I. Lib. II. c. VI.

(¹) "Though the bishop sat in the same court with the sheriff, to hear and determine such causes as belonged to ecclesiastical cognisance; yet the correction of manners and punishment of vice was not transacted there, but in visitations, synods, and rural chapters, and, as occasion required, by special commissions from the bishop."

Gibson's Preface
to Codex I. E. A.

Southey's *Book of the Church*,
Vol. I. c. vi.
p. 83.

Church History,
Cent. XII. B. III.
p. 81.

Thef. Anecd.
Marton. Tom.
iv. col. 179.
CC. Rotomag.
Proc. P. I. p. 136.
CC. M. B. et H.
Vol. I. p. 662.

nation, and proof of minor irregularities, *admonished* the parties, and exhorted them to repentance and amendment; while, for the guilt of any greater crime, he had power to *suspend* laymen from the sacraments, and clergymen from the execution of their office: but, according to the dean of Gloucester and the bishop of Peterborough, he could not proceed to any greater punishment¹.

“The court-Christian is so called,” says Fuller, “because therein the laws of Christ do, or should, bear the decisive sway; whilst the statutes of secular princes regulate the proceedings in other courts.” Accordingly, in the dean-rural’s court, the code-ecclesiastical alone obtained. It was so decreed by the twenty-eighth canon of the council of Rouen (A.D. MCCXXXI.)—“*Quod causæ ecclesiasticæ coram decanis ruralibus &c. secundum jura ecclesiastica tractentur, et non per modum curiæ secularis.*” And this code the dean was to administer with readiness and zeal,

(¹) Such a court-Christian, under the jurisdiction of the dean, still obtains in the rural deanates of Jersey and Guernsey; where, in the absence of higher church-functionaries, the primitive authority of the decanal office is supported in full vigour.

Cæsarea, by
Falle & Morant,
p. 168.

As the bailly is at the head of the civil jurisdiction, Mr. Falle tells us, so in like manner is the dean at the head of the spiritual; and as one has the jurats for his assessors, so has the other the rectors of the churches, the instituted ministers coming in for a participation of the ecclesiastical regimen—a primitive partnership of church power, in imitation of those ancient councils of priests, whom the bishop took to sit with him in his consistory, and assist him in judging causes brought before him. Two or three ministers, with the dean, or vice-dean, suffice to hold a court; but as many as please may come, and the opinion of all present is taken:—

Ejusd. Append.
No. X. can. XXI.
pp. 205, 206.

“*Le Doyen, aux causes qui se traiteront en court, demandera l’avis et opinion des ministres qui pour lors seront presents.*” (22.) “*Il aura la connoissance de toutes choses qui concernent le service de DIEU, prédication de la parole, administration des sacrements, causes matrimoniales,*
examen

dispensing justice to complainants, and defending the rights and privileges of the church. But, being merely a vicarious and delegate judge, he was never to hear causes, or hold pleas, in the presence of the bishop:—

“ Ne quis archidiaconus, archipresbyter, et alii minores prælati jurisdictionem ecclesiasticam habentes, causas audiant, seu placita teneant, præsentibus suis episcopis; sed longè ab ipsis faciant, super his quod viderint, expedire, &c.” (A.D. MCCLIII.)

SS. CC. Tom.
xiv. col. 138.

Whenever summoned by their deans, the parochial presbyters are commanded by the synod of Constance (A.D. MCCC.) to assemble and form such a consistorial court, and to tender their judicial presentments:—“*Præcipimus quod presbyteri parochiales, qui legitimam excusationem non habuerint, ad loca et dies pro audiendis causis statutos à decanis suis conveniant, et ea quæ in parochiis suis emendanda fuerint eis insinuent, ut in eorum præsentia prout justum fuerit habeatur contractus. Et ea*

SS. CC. Tom.
xiv. col. 1308.
CC. Rotomag.
Prov. P. II.
p. 555.
Synod. Const.
A.D. MCCC.

examen et censure de tous papistes, récusans, hérétiques, idolâtres, et schismatiques, parjures en causes ecclésiastiques, blasphémateurs, ceux qui ont recours aux forciers, incestueux, adultères, paillards, yorognes ordinaires, et publics profanateurs du Sabbat; comme aussi la profanation des temples et cimetières, du mepris et offenses commises en court, ou contre aucuns des officiers d'icelle en exécution des mandats de la court; des divorces, et separation à thoro et mensû; avec pouvoir de les censurer et punir selon les lois ecclésiastiques, sans exclurre la puissance du magistrat civil au regard de la punition corporelle pour les dits crimes.” For the other powers of the dean and his court, see the canons of King James (A.D. MDCXXIII.), in Falle's *Appendix*; and the commission of Brownlow North, bishop of Winchester, to Dean Durand, in Berry's *Guernsey*, p. 263. From these rural courts Christian appeal lies to the bishop of Winton, or the archbishop of Canterbury, in person, in case of vacancy of the diocesan see.

History of Manchester, Vol. II.
B. II. c. IX.
p. 386.

quæ in consistorio decanorum fient, juxta ipsorum testimonium obtineant firmitatem." And so Mr. Whitaker observes of English usage:—"Besides the extraordinary provisions for the support of discipline, the dean, like the archdeacon and bishop, had a regular court; at which only some of the nearer ministers were *obliged* to attend, and such as were engaged to *prosecute causes* for themselves or their parishioners. In which view, the decanal chapter-court was the standing consistory of the district.

Constitut. Dom. Othonis, p. 15.

That the *judicial* character of the dean rural, both in his *individual* capacity and in connexion with his court-Christian, has been disputed by certain ancient and modern canonists, I am fully aware. From John de Athon's gloss, in v. "*erubescunt*," of Otho's Constitution *de confessionibus* &c., it would appear that the dean's authority over the clergy extended only to *cognitional* jurisdiction:—"Cum talis decanus *saltèm de consuetudine vice archidiaconi jurisdictionem habet cognitionalem quoad effectum corrigendi, licèt non quoad effectum removendi tales à villicatione et suspendendo eos ab officio.*" And Lyndwood, Barbosa, Corvinus, Godolphin, and others of later date, are not more liberal to him, either *alone*, or in connexion with his chapter.

De Canonicis et Dignitatibus,
c. VI. p. 69.

The bishop of Saint David's limits his interference to the *lesser censures* for light offences, making him refer greater matters to the superior ordinary. Augustin Barbosa deprives him of all *contentious* jurisdiction, in accordance, as he says, with the canon-law decision, that the archpriest "*non posse procedere contra quemquam in figurâ judicii, . . . quia archipresbyter non habet jurisdictionem fori contentiosi in parochianos, sed tantum fori pœnitentialis.*" Then, again, to the question—"An

possit sibi inobedientes in ejus officio coercere eisque pœnam injungere?”—it is quoted, as a satisfactory reply, “*Eum non posse inobedientes in ejus officio coercere, nec pœnam eis injungere, cum corrigere, et imponere pœnas absque jurisdictione esse non possit, quam archipresbyter non habet, licet habent facultatem eos admonendi, ut munera eis injungenda præstent, et facienda suo loco, et tempore faciant, prout decet; in casu inobedientiæ, habet facultatem referendi omnia episcopo ad effectum, ut contra eosdem, prout illi visum fuerit expedire, procedat.*” Nor does this statement militate, it is said, against the gloss upon the word “*referre*” in the canon-law; which gives to the archpresbyter the power of deciding lesser matters himself, “*quia intelligi debet de his minoribus, seu minimis, quæ determinare possit, absque figurâ judicii vel in figurâ judicii, secundum tamen ordinem ipsius episcopi, &c.*”

Arnold Corvin à Belderen restricts the jurisdiction both of urban and of rural archpresbyters:—“*Habent archipresbyteri jurisdictionem voluntariam, non contentiosam, nec territorium ullum, nisi in foro pœnitentiali, &c.*”

*Jur. Canon. per
Aphorism. Ex-
plicat. p. 28.*

Lastly, Godolphin says, “The rural dean has no absolute judicial power in himself; but is only, by the direction of the bishop or archdeacon, to order and prepare ecclesiastical affairs within his deanry and precinct;”—no reservation, as it seems, being made in favour of his ancient court-Christian.

*Repertor. Canon.
chap. VII. p. 54.
(4.)*

But, while the fore-cited canonists thus withhold from the dean all *contentious* jurisdiction and *judicial* power, both *in* and *out* of his chapter-court, Thomassin¹, Kennett,

(¹) See a long extract from Thomassin, hereafter quoted in *Sect. III.*, where he speaks of “*vasta illa archipresbyterorum quondam jurisdictio contentiosa, &c.*” *V. et N. E. D.* Tom. I. P. I. L. II. c. VI. p. 230. VII.

Decreta et Constitutiones Synod. Salisburg.
Conft. xxv. c. iv.
p. 123.

Brewster, and other¹ equally able expositors of the constitution of the office as it obtained in England and on the continent, aver that, in fact, such absolute or delegate capacity of judgment was heretofore exercised by the dean and chapter. And, by the *Provincial Constitutions* of the synod of Salzburg, at a comparatively late date (A.D. MDLXIX.), and after their general powers had been much impaired, deans rural appear to have enjoyed full judicial power by episcopal commission. They are enjoined to act up to the expectation of the public, and the satisfaction of the bishop:—" *Non lucrum neque munera respicientes, sed quod justum est et rectum judicantes, nemini ad malum, vel turpitudinem habenas laxantes, neque illorum pravis actibus conniventes; verum eos, juxta demerita, acriter punientes, et unicuique quod æquitas exigit tribuentes.*"

Collectanea Ecclesiastica,
Addenda.

See *Parochial Antiquities*,
Vol. II. p. 355.

Vide Wilkins,
LL. AS. p. 198.
c. 2.

Whether the rural deans of Great Britain exercised any judicial powers in their *separate* capacity, independent of their capitula, Mr. Brewster acknowledges to be not altogether certain; and thus remarks upon it, in reference to our most ancient practice:—" Kennett represents deans rural as entrusted, in their *separate* capacity, to take *purgations* for incontinencies, and other offences against the ecclesiastical laws. But this may be thought in some degree inconsistent with the terms of the ninth law of King Edward the Confessor, as it is called, which requires the bishop's minister, i.e. as the Editor understands it, the rural dean, to attend with his clergy — *clericis suis* — viz. those within his deanry, at

Commentaries,
B. I. c. 11. iv.

(¹) Sir W. Blackstone says, "Rural deans seem to have been deputies of the bishop, and armed, in minuter matters, with an inferior degree of judicial and coercive authority."

the taking or performing an ordeal: though, perhaps, the ordeal intended by this law might be relative only to temporal crimes; and if so, the seeming inconsistencies of the antiquarian's assertion with the terms of the Confessor's law will be removed."

Brady's *History*,
Vol. I.

"However, there seems to be little reason to doubt of the authority of rural deans, in respect to their taking cognizance of incontinency and other offences against the spiritual code, and enjoining to the offenders a suitable penance for the same; as may be inferred from the case of the rural dean, when a complaint was made to King Henry II. at York, against him, by a burgeess of Scarborough, for enjoining a *penance* to his wife for incontinency, and taking from her twelve pence, by way of commutation for the same; the matter of which complaint seems evidently to have been confined to two particulars only, viz. the want of proper, sufficient evidence for convicting the woman, and to the taking the money; without the least hint of a charge, in respect to an unwarrantable usurpation of *judicial* authority by the dean in directing the *penance*, in case there had been legal evidence for grounding a conviction." But upon this head we need say no more.

Brady's *Comp.*
Hist. of England,
Vol. I. p. 381.
Blomesfield's
Norfolk, Vol. II.
p. 228.

The *decanal* jurisdiction, we may conclude, was for the most part *voluntary*, without the solemnity of *judicial* process; and so far could be exercised without the intervention of clerical co-assessors, if the urgency of circumstances required it, and the duty to be performed was of a personal nature. But, whenever it assumed a decidedly *contentious* character, (and such sort of judicature, as above shewn, was often exercised by the dean rural, as dean of Christianity, in England, and many parts of the

continent, let the canonists say what they will to the contrary,) the chapter of the deanry, it seems probable, was always an official party; and on such occasions alone, in full consistory, the severer penalties of the spiritual code were inflicted by the dean, as *judicial* president of the court.

To proceed with the business of the rural court-Christian;—which we have denominated an inspectional and correctional consistory for the support of church-discipline by *judicial* process, when required, over and above its *voluntary* and more common exercise of power.

The simplest form of *judicial* procedure in the rural-decanal court-Christian, for offences against the laws and good government of the church (the subject matter of all presentments), is that delivered at the York council (A.D. MCXCV.), by Archbishop Hubert, in the reign of Richard I.—The process recommended by the metropolitan, in his legatine capacity, forms the eighteenth of his *Decreta*. It is elsewhere cited and explained (see Part IV. Sect. IV. c. II.); and we need here note only as much as connects it with our present subject.—“XVIII.

CC. M. B. et H.
Vol. I. p. 502.

Suspectus de crimine per famam communem, vel verisimilia indicia, per decanum loci admoneatur familiariter semel, secundo, et tertio, ut se corrigat; quod si non fecerit, decanus, adjunctis sibi duobus, vel tribus, penes quos ejus fama laborat, eum corripiat; si nec sic videatur corrigi, dicatur ecclesiæ; scilicet arguatur in capitulo, ut convictus, vel confessus, canonicè puniatur; inficianti, si convinci non poterit, canonica purgatio indicatur &c. &c.” Vide *plura in loco*, and also in the *Annales* Rogeri de Hoveden—*Rerum Anglicarum Scriptores post Bedam*, pp. 755–6.

No person could be thus presented¹ *judicially* at the court-Christian upon charge, unless his excesses were of such a character as to be a public scandal. This is implied in the decree of Archbishop Hubert just quoted; and in others of later date it is expressly enacted. Less flagrant faults were the subject of private correction. Such was the prudent arrangement of the contemporary prelates, Quivil of Exeter, and Gilbert of Chichester:—
“ Ne quis officialis, decanus, aut apparitor, quenquam ad capitulum, evocet, vel faciat evocari super crimine, de quo publicè non fuerit priùs defamatus; alioquin super hoc convicti à suis amoveantur officiis.” Before which regulation, it had been customary, it seems, for summoners, out of wanton malice, or self-interest, or for the sake of ingratiating themselves with their masters (“to bring much grist to their mills,” says Prynne), to cite persons before the court, against whom there was not the least shadow of suspicion.

CC. M. B. et H.
Vol. II. pp. 148,
170.

Papal Usurpations, Tom. III.
p. 129.

A further source of annoyance to the commonalty arose from a plurality of decanal consistories and officials, within the limits of the same decanate:—deputies deciding causes therein during the absence of their principals, and

(¹) In the rural deantries of Guernsey and Jersey (where, as I have before remarked, many of the early usages connected with the decanal office yet survive, to the support of ecclesiastical discipline in those remote parts of the see of Winchester), the reformation of delinquents is attempted by the following process of presentment—I quote from the *Ecclesiastical Canons of A.D. MDCXXIII.*—“ 49. *S’il parvient aux oreilles du doyen par relation de gens de bien, que quelqu’un vit notoirement en quelque scandale, il en pourra avertir le ministre et les surveillans de la paroisse, afin que s’en étant informés, ils présentent telles personnes qui méritent d’être punies ou censurées.*”

Cæsarea, by
Falle & Morant,
Append. No. x.
p. 216.

the latter winking at the same, for their own private advantage, to the detriment of the public—" *Lucrum quærentes proprium, non commodum subjectorum, &c.*" This abuse the second canon of the council of Poitiers (A.D. MCCLXXX.), attempted to remedy:—" *Ne aliquis decanus, vel archipresbyter, in pluribus locis et villis archipresbyteratus et decanatus sui, causarum audientiam convocare, vel generaliter exercere præsumat, sed in uno loco tantummodò sit contentus,—nisi sunt tales, qui vel quorum prædecessores consueverunt ab antiquo in duabus villis vel pluribus audientiam exercere. Et illi duorum locorum ad hoc antiquitus assuetorum numerum non excedant.*" Moreover, they were to use the same seal " *ad causas et contractus*" in both places of consistory; and were not to meddle with the weightier class of causes, matrimonial, simoniacal, usurious, and such like.

SS. CC. Tom.
xiv. col. 716.

Thomassin. V. et
N. E. D. Tom. I.
P. I. l. II. c. VI.
p. 229. VI.

Thef. Anecd.
Tom. IV. col. 987.

Again, in the extreme case of plurality of local judicatures, founded on long-established usage, it was decreed by the *Synodal Statutes* of the bishop of Nantes (A.D. MCCCLXXXIX.) can. XVI., that no dean rural, so privileged, should, out of a malicious and vexatious spirit, drag persons under citation to the more distant tribunals, for the sake of annoying them. If any one ventured to do so, he was to be mulcted in a heavy pecuniary punishment; and the persons summoned were absolved from obedience of the citation¹.

In the diocese of Angiers (A.D. MCCLXXXII.), the *Synodal*

Annales Monast.
Burton, p. 292.
Rev. Anglic.
Script. Tom. I.

(¹) On their part, the bishops and clergy complained to the legate Otho (A.D. MCCXXXVII.), among other infringements of ecclesiastic privileges, that the secular officers abused the persons of the apparitors, deans, and capellanes, upon fictitious causes and allegations, incarcerating them

out

Statutes assigned to the three archdeacons, the three archpresbyters, and the four rural deans (between whom the different districts of the bishopric were distributed), two or three *urbeculæ* respectively to each, "*ubi causas et placita audirent.*" They also limited the number of apparitors in each jurisdiction.

Thomassin. *V. et N. E. D.* Tom. i. P. i. l. ii. c. vi. p. 229. vi.

In personal suits, ecclesiastic courts of all denominations, whether episcopal, archidiaconal, or decanal, were, by a Constitution of Otho *De pace et concordia reformatâ* (A.D. MCCXXXVII.), enforced by a Worcester canon of Walter de Cantilupe (A.D. MCCXL.) and many others, to permit litigants to withdraw from their judicature, whenever they chose, by composition or arbitration;—provided the business was of such a nature as to be within the pale of lawful settlement—" *Nam plura sunt negotia,*" says the glossator, "*super quibus transigere non licet nec pacisci.*" But what were, and what were not, open to composition, it is no easy matter to determine.

C. D. Othonis, p. 55. *Parochial Antiquities*, Vol. ii. p. 349.

Under circumstances of composition, the Dublin canon inflicts no penance, "*nisi eis confiterit de actoris vel rei calumniâ manifestâ;*" and Otho allows no payment to be exacted, "*nisi fortè judex cum esset delegatus,*" in the words of John de Atho's gloss, "*expensas in causâ fecisset quæ sibi refundi debent.*" See also *Concil. Rotomag. can.* xxv. in *SS. CC.* Tom. xiii. col. 1255. (A.D. MCCXXXI.); where it is expressly stated, "*Si partes litigantes coram episcopis, seu archidiaconis, vel decanis ruralibus, transigant*

C. D. Othonis gl. in v. tale negotium.

CC. M. B. et H. Vol. i. p. 551.

gl. in v. aliquid.

CC. Rotomag. Provinc. P. i. p. 136.

out of mere malice and revenge.—" *Item, Ballivi domini Regis citati ad capitulum propter peccata sua, et excessus suos enormes, fingunt causas ut apparitores, decanos, vel capellanos, per quos citati sunt, capiant et in carcerem detrudant ad vindictam.*"

vel componant, neutra pars prætextu alicujus consuetudinis emendam judicium propter hoc persolvere minimè teneatur."

CC. M. B. et H.
Vol. II. p. 300.

Not only does the Winton synod order no "*amercia-mentum*" to be exacted on the pacific termination of an ecclesiastical suit; but, in every case of appeal to the bishop's court "*ad innocentie præsidium*," commands deans and others to aid appellants in advancing their suit. "*Item præcipimus*," says a nameless episcopal constitution of our church (circiter A.D. MCCXXXVII.), "*quòd archidiaconus et ejus officialis et decani paratos se exhibeant et strenuos ad exhibendum conquerentibus justitiam, et ad defensionem ecclesiasticæ libertatis, et pro hujusmodi à quoquam nihil exigatur.*"

Stat. Synod.
Diac. Ypres.
Tit. VII. c. XI.

Extensive duties of arbitration and pacification are charged on the deans of Christianity of the diocese of Ypres by the synod of MDLXXVII:—"Neque tantum presbyteris et clericis decanos præfici intelligimus, sed et universo populo: sic, ut etiam laici in suis difficultatibus, quas fortè inter se causâ negotiorum ecclesiæ, aut cum suis pastoribus habent, et ex quibuscumque aliis causis, animum ipsorum moventibus, possint liberè ad suos decanos recurrere, et illorum consilium et auxilium implorare. Neque poterunt decani, ab incolis suorum decanatum sic requisiti, ipsis officium et operam suam subtrahere aut denegare. Quinimò, intellectis hujusmodi ipsorum differentiis (etiam si à nemine requirantur) debent, quantum possunt, ex officio illas componere; et advigilare, ut ecclesiæ negotia tractentur et finiantur quâ convenit maturitate atque concordia. Et hujusmodi sollicitudinis et laborum intuitu ipsis conceditur, ut annuè à singulis parochialibus ecclesiis suorum decanatum octo, decem, vel duodecim susteros recipiant, prout hactenus consueverunt, sed non amplius."

The spiritual welfare of the suitors, Van Espen writes, should be the actuating motive of the archiepiscopal judges and arbitrators; and, in their decisions upon things temporal, they should shew that such matters ought to be lightly estimated, in comparison with things spiritual:—" *Recognitare debent archiepiscopi, in tuendis aut exigendis juribus, præsertim temporalibus, se admodum moderatos esse debere. Cum enim ipsi sint pastores pastorum; etiam officium eorum est pastoribus ostendere, et suo agendi modo vivaciter imprimere, quod prima cura et sollicitudo esse debeat salus animarum; jura verò præcipue temporalia parùm esse curanda; maxime ubi eorum rigorosa exactio nata esset profectum animarum et progressum evangelii impedire.*"

*Jur. Eccles.
Univ. Part I.
Tit. vi. cap. v.
p. 32.*

Lastly, by a canon of the council of Rheims (A.D. MDLXXXIII.), it is enacted, "*Controversias causasque personales quas inter viros ecclesiasticos suboriri compererint, qui synodo vel kalendis præest, amice, si fieri possit, componat.*" On which view of their mediatorial functions, rural deans were sometimes, on appeals to the archbishop, delegated referees and arbitrators:—witness in our own country, at a much earlier period, in the case of Robert Grosseteste, bishop of Lincoln; in two appeals against whom, the rural deans of Cambridge and Abingdon were appointed by Edmund, archbishop of Canterbury, to determine or report between the litigant parties.—On which occasions of *personal* arbitration, the judgment of the chapter was at the call of the dean, if needed.

*SS. CC. Tom.
xxi. col. 713.*

*Brown's App.
ad Fasciculum,
pp. 325-26.*

CHAPTER V.

PUNISHMENTS INFLICTED BY Rural Courts-Christian.

THE offences against public decency in morals and religion, cognisable by our local *curiæ Christianitatis*, we have sufficiently detailed under the division of *Personal Duties*: we now have to look to the penal consequences of those "scandalous crimes."

The *censures* and *punishments* imposed by *deans* rural, in their *judicial* capacity, either by temporary commision, or permanent delegation, of their superiors (for the economy of the office differed much upon this point in different dioceses), were, *monition*, *purgation*, *penance*, *suspension ab ingressu ecclesiæ*, *suspension ab officio et beneficio*, and *excommunication*. *Monition* needs no remark: of *purgation* and *penance* I have already spoken, under the head of *personal duties* of *deans* rural:—for, in their ministerial capacity, they had to do with these *censures* by devolution from superior courts; and with ecclesiastical *penance* likewise, as supervisors of that once wholesome branch of church-discipline—" *solennis pœnitentia* "—ordered by the canons to be performed in the presence of the " *archipresbyteri parochiarum*," at the commencement of the quadragesimal season.

The *penance* for crime actually perpetrated was some-

See Part IV. § IV.
c. II. & § V. c. VI.
§ 7.

Regin. L. I.
p. 291.
Burchard, I. XIX.
c. XXVI.
Gratian, D. L.
c. LXIV.

times *commuted*¹ by the dean into a fine or sum of money to be given to pious uses under certain established regulations; the non-fulfilment of which subjected him to censure. He did, however, it is to be feared, oftentimes offend, both at home and abroad, in respect of *commutation of penance*.

The council of Saumur (*A.D. MCCXCIV.*) strongly animadverts on the flagitious abuse of *judicial power*, of which the rural archpriests of that diocese were guilty in their consistorial courts, by inflicting pecuniary and not canonical punishments on persons guilty of adultery, incest, fornication, and the like sins: all which they were in the habit of commuting for money (though they had no power of dispensation therein), and of receiving the fine to their own emolument:—" *Pro adulterio*,

See Gibson's *Codes* I. E. A. Tit. XLVI. & Oughton's *Ordo Judiciorum*, Vol. I. Tit. CXXXVII. p. 213.

Thomassin. *V. et N.E.D.* Tom. I. P. I. L. II. c. VI. p. 229. VI.

(¹) The nature of some of the transactions brought before the courts Christian of the deans, and the *punishments* inflicted by *commutation* or otherwise, here in England, will be understood from a presentment made in Edward the Second's reign, by a Norfolk jury, to the king's justices. The cases are adduced by Prynne, in the *Supplemental Appendix* of his *third tome*, pp. 1270, seqq.—" *Quòd Willielmus rector ecclesiæ de Wryaingæ Magna dùm fuit decanus, recepit de W. Goddard et de Beatrice Knyvet pro fornicatione, 12d.—Quòd magister Henricus de Hargrave tunc offic. cepit de Johanne filio Petri de Haverell, quia probavit testamentum uxoris suæ coram decano de Clare, 10s.—Quòd Johannes de le Bret de Wryaingæ implacitavit W. Cochun de eadem coram Roberto vicar. de Hovedone tunc decano, pro dampno facto in blado suo, unde dampnum habuit 60d.—Quòd R. le Wahre citare fecit coram R. vicario de Hoveden tunc decano, W. Cochun et H. Pipestrave pro dampno facto in quodam bosco, et pacificaverunt cum decano de 5s.—Quòd R. vicar. de Hovedone tunc decanus, cepit de Barth. Gamboun pro non veniend. ad summonitionem suam, 12d.—Idem &c. cepit de Thoma Pipestrave quòd commedebat cum Hamone Chevere, quem dicebat se excommunicasse, 6d.—Idem &c. recepit de prædicto Thoma quia cariavit per diem festivalem*

SS. CC. Tom. XIV. col. 1308. CC. Rotomag. P. II. p. 554. Synodi Constantienfes.

fornicatione, incestu, et aliis excessibus, in quibus dispensare non possunt," says the canon referred to, "*à clericis et laïcis pœnam pecuniariam contra canonum prohibitionem exigunt et extorquent.*" And farther—the same council complains of their allowing their officials to affix the archpresbyteral seal to contracts &c. which had never been examined by themselves (the archpriests); and strictly forbids the repetition of such conduct:—" *Ne clericos curfores et quasi exploratores ad audiendas confessiones contrahentium de cætero teneant, nec ad relationem eorum litteras figillent, ac si in eorum præsentia factæ fuissent.*"

CC. M. B. et H.
Vol. II. p. 300.

Equally reprehensible was the mercenary and extortionate conduct of the Deans of our own island, according to the *Synodal Constitutions* of Bishop Woodloke of Winchester (A.D. MCCCVIII.); who endeavoured to restrain

festivalem sempl. 6d.; &c." These were adjusted before the court-Christian of the urban Dean of Norwich—the rural Dean, or Dean of Christianity, of the city.

On the continent, the subjects brought before the Dean-rural's consistory were of a character termed by the *synodicon* of Coutances (A.D. MCCC.) "*breviores lites;*" which the fifty-sixth canon restricts thus:—" *Statuimus ut decant rurales, qui negotia disceptant humiliora, sine scriptura cognoscant: et citationes eorum et mandata eorum per se, vel per nuncium sub impressione sigillorum suorum exequantur, et executioni demandent. Ut autem sollicitudo ipsorum et cura plurimum rescindatur in causis arduis, et gens sub majori iudice constituta providentiam sentiat grandiore: duximus statuendum decant ut de causis summam decem solidorum Turonensium excedentibus non cognoscant, nec pœnas ultra prænominatam exigant quantitatem. Si verò coram ipsis pœnam ulterioris quantitatis imponi contigerit, quàm committi postmodum crediderint, superiori denuncient, ut per ipsum quod iustum fuerit inde statuatur: sed nec emendas percipiendi pecuniarias ultra duos solidos Turonenses de cætero habeant potestatem.*"

their uncanonical abuse of *commutation of penance* by the following canon:—" *Decant qui cupiditatis intuitu, occasione quæstus, redemptiones corporales pœnitentiæ justè debitæ commutaverint in alias, aut ipsas corporales, ubi non debentur, injunxerint, ut ipsarum metu pecuniam citius valeant extorquere; de proprio, super hoc convicti duplum restituant, et alii nihilominus subjaceant gravi pœnæ.*"

Of the two kinds of *suspension*, that *ab ingressu ecclesiæ* was common to the clergy and laity, and heretofore much in use in courts-Christian for crimes and scandals of the lesser sort:—" *Si quis ex sæcularibus,*" says a canon of the council of Auxerre (A.D. DLXXVIII.), "*institutionem aut commonitionem archipresbyteri sui, contumaciâ faciente, audire distulerit, tamdiu à liminibus sanctæ ecclesiæ habeatur extraneus, quamdiu tam salubrem institutionem adimplere non studuerit.*" *Suspension* "*ab officio et beneficio*" (jointly or singly) was a *temporary degradation, or deprivation, or both*, and confined to the clergy. But the latter I believe to have been very rarely inflicted by the dean rural. The usual *suspension* was only *ab officio*. Still, in their nature, they were both temporary, and for crimes of a secondary degree.

From arrogating to themselves the power of sitting *judicially* on beneficed clergymen, and passing sentence of *deposition* on them, deans rural are expressly forbidden by the council of Ravenna (A.D. MCCCXVII.), and by the earlier synod of Laval (A.D. MCCXLII.), "*nisi de speciali mandato sui pontificis.*" To the bishop alone, *de jure*, belonged the act of *deposition*¹; but he might delegate

SS. CC. Tom.
VI. col. 646.
*Parochial Anti-
quities*, Vol. II.
p. 355.

Thomassin. V. et
N. E. D. Tom. I.
P. I. L. II. c. VI.
p. 230. VII.

Ejusd. p. 229.

(¹) In the islands of Guernsey and Jersey, the deans rural, enjoying some branches of the episcopal, and all the archidiaconal jurisdiction,

that, and *degradation*, and *amissio beneficii*, and the causes pertinent thereto in the church of Laval, to the dean rural.

Excommunication was the highest ecclesiastical censure, and, of course, for the gravest sins. But it seems to be the recorded opinion of some canonists, that the dean could not proceed to this severity, unless specially authorized so to do by the bishop, in his consistorial court, or in a diocesan synod. Armed with which authority, he could proceed to *excommunication*.—But had not the court-Christian of the dean rural authority to pronounce this highest ecclesiastical punishment by permanent delegation of the bishop?—Let us see:—

A Humble Proposal for Parochial Reformation, p. 33.

“Lyndwood allows the dean to *excommunicate*,” in the words of an anonymous author, “but says he cannot certify the king upon the *excommunication*;—which must be done by the bishop himself. Boniface also implies it, when he directs that the dean’s sentence of *excommunication* be delivered by his apparitor or bedel.” Spelman, in his posthumous work on *the Ancient Government of England*, (and where shall we find a higher authority?) tells us, that the rural dean had power, “within his deanry, to *censure* breach of church peace, and to punish incontinent and infamous livers, by *excommunication*, *penance*, &c.” Dr. Brett thinks he had it only by particular

Reliquiæ Spelmanianæ, p. 51,

Cæsarea, by Fallu & Morant, Appendix, No. X. p. 216. *Canons*, MDCXXIII.

can proceed to the extreme penalties of *suspension*, *sequestration*, and *deprivation*, according to the canons:—“50. La où il constera de la faute commise par quelque ministre, le doyen, après monition réitérée, procédera à la reformation, par l’avis et consentement de deux ministres, jusqu’à suspension et sequestration: et en cas que ledit ministre demeure réfractaire, le doyen procédera, par le consentement de la plupart des ministres présents en l’isle, jusqu’à déprivation.”

commiffion from the bifhop. Dr. Kennett represents him as under an actual prohibition from proceeding to it. And yet many councils of the church feem to acknowledge¹ the capacity or ability in the Dean rural to inflict it.

Of Church Government and Governours, c. x. p. 188.

The council of Rouen (*A.D. MCCXLV.*), for instance, implies it in the precept—“*Nullam causam pecuniariam, nec aliam nisi fortè ex conviciis, teneat coram se decanus aliquis, nec de sua excommunicatione emendam exigat, ad plus ultra quinque solidos:*”—and again, in the precept forbidding decanal ordinaries to denounce *general excommunication*.

CC. Rotomag. Prov. P. II. p. 78.

P. 79.

The council of Saint Omer (*A.D. MCCLXXIX.*) grants to Deans rural a conditional power of *fufpenfion* and *excommunication*—that is, provided they do fo in writing—“*Decani rurales exercentes jurisdictionem non fufpendant nec excommunicent nisi in fcriptis*”—a power which, Thomaffin remarks, the council of Ravenna, before quoted, does not deprive them of, but merely of fo much of it as relates to *depoftion*. And, in many articles of the Liege ftatutes (*A.D. MCCLXXXVII.*), claufes occur demonstrative of the power being vefted in the office; fuch as, —“*Quando decano et presbytero loci confiterit, de delicto vel de præmiſſis, delinquentem excommunicet, feu ad excommunicationem procedat;*” and the like.

CC. Rotomag. Prov. P. I. p. 155. SS. CC. Tom. XIV. col. 607. can. XVI.

F. et N. E. D. Tom. I. P. I. L. II. c. VI. p. 230.

SS. CC. Tom. XIV. col. 1151. Statut. Synodal. Leodienſis.

* (¹) The *Reformatio Legum Ecclef.* has a fection *De excommunicatione*; under which head, cap. II., enumerates thoſe “*Quibus excommunicatio committitur.*” They are briefly the different governours of the church, to whom the “*potestas excommunicationis*” is committed—“*nominatim verò moderatores et eccleſiarum duces ſunt archiepifcopi, epifcopi, archidiaconi, decani, denique quicunque ſunt ab eccleſiâ ad hoc munus adhibiti.*”

Reformatio LL. Ecclef. p. 159.

Selden's *Hist. of
Tythes*, c. viii.
& *passim*.

Again—the prohibition to proceed to *excommunication*, if such was indeed the case, would afford reason to impeach and over-rule the claim of rural-decanal capitula to the cognisance of tithe-causes. Whereas, there are facts and usages abundantly sufficient to establish the point, that, upon the non-payment of tithes (the¹ settlement of the right of which cases, when under litigation, rested with the rural court-Christian), there was a power vested in the chapter of decreeing and pronouncing *excommunication* upon the lay-violators of such contracts. Nor can such a right, one would think, be for a moment brought into doubt;—for it would, indeed, be a strange anomaly, if the court collectively of the whole deanry had not authority to inflict this extreme penalty, when the parish-priest, under the legal incumbent, was authorised to *excommunicate* such persons as refused to pay their tithes to the latter.

CC. M. B. et H.
Vol. II. p. 154.

A single person of the priestly character having within himself the power of such a censure, there can be little reason to controvert the right and authority of capitular assemblies to the exercise of the same censure. And such a faculty is expressly conferred on presbyters by Hubert archbishop of Canterbury (A.D. MCXCV.); on local capellanes, by others; and generally on all rectors, vicars, and capellanes, by the synod of Exeter (A.D. MCCLXXXVII.); and by many later councils, both at home

(¹) For proof of which, see in Prynne's *Ufurpations*, Tome Third, B. v. c. i. ann. 55 Hen. III., the decision of the itinerant judges, and "resolution upon an attachment for a suit in court-Christian against the king's prohibition:—" *Et ideo confideratum est, quod bene licet Willielmo de Branucewell sequi placitum illud in curia Christianitatis cum sit de decimis, et decano de la Jford tenere illud.*—*Inc. Rot.* 10.

and abroad :—" *Licebit ecclesiarum rectoribus, vicariis, et parochialibus capellanis,*" says the Exeter synod, "*pro mortuariis, decimis, oblationibus, et instauro ecclesiæ, et aliis juribus ecclesiæ suæ injustè detentis, in quorum possessione notorium est suas ecclesias extitisse, per semetipsos, trimâ tamen monitione præmissâ, nominatim suspendere et excommunicare detentores* :—wherein, too, the reader will perceive the same penal inflictions are extended to the protection of *mortuaries* ("sorts of *soul cheat* or legacy to the church, originally, no doubt, intended for satisfaction of all tithes and dues ignorantly detained"), the non-payment of which is made punishable in the like way, by *suspension* and *excommunication*, on the part of ordinary parochial incumbents.

Kennett's *Gloss.*

Innumerable are¹ the notices of the extreme punishment of *excommunication* passing through the hands of the Dean rural, as the agent of superior prelates, and as the president of his own court-Christian²; in which latter capacity, within the Deanry of Canterbury, it seems, the

(¹) Whoever dared to lay violent hands on a person who had fled to a church or churchyard "*pro tutelâ refugii,*" or even to obstruct persons in supplying food to him there, was to be publicly excommunicated by the Dean rural of the diocese of Arras.—See a Letter of Stephen bishop of Paris, addressed to his archpriests, as *ministers of excommunication*, on the subject of Prior Thomas's murder.—*Conc. Jobrense, A.D. MCXXX.* *Const. Synodal. Epif. Aitreb. A.D. MCCCCLV.* *SS. CC. Tom. XII. col. 1451.*

(²) "The Treasurer of Christ Church, Canterbury," says Mr. Somner, "in the year MCCLVII., being unpaid divers rents due by the church tenants, hired the Dean's cryer for 12*d.*, at four several times, to denounce or publish, throughout the city, all such retainers of rents *excommunicated*; and made it parcel of his demands in his accompt for that year, viz. '*Preconi detani Cantuar. 12d. ut denuntiaret detentores reddituum excommunicatos per totam civitatem,*' &c." *Antiquities of Canterbury, P. I. p. 177.*

Dean employed a cryer to denounce his sentences of *excommunication*.

But we must proceed with the business of the ecclesiastical court of the country—after this too long digression on the extent of the Dean's *judicial* power, and the degree and severity of *punishment* he was capacitated to impose.—We will first take up the subject of *tithes*, and then that of *mortuaries* and other *dues of the church* (above incidentally alluded to), as connected with our rural court of recovery.

CHAPTER VI.

RECOVERY OF CHURCH-DUES.—TITHES, MORTUARIES, &c.



AS defenders and adjudicators of the¹ church's property in *tithes*, and *mortuaries*, when litigated or substracted, deans rural are early acknowledged, according to Brewster, in the councils of Great Britain. But I do not *there* find any evidence to the point of deanal chapter-courts exercising formal jurisdiction in such cases, though there is no doubt of the fact itself.

Collectanea Ecclesiastica, pp. 369, seqq.

The relation of deans rural to *tithe-business* is traced, with some degree of doubt, by the compiler of *Collectanea Ecclesiastica* to the days and canons of Edgar; where the prefect or priest of the bishop is canonically invested by the Saxon church with considerable power for the recovery of substracted *tithe*.

By the second canon² of King Edmund's laws—the Saxon version of which the reader will find in Selden's

Chron. Johan. Bromton. Scriptor. x. col. 858.

(¹) "Tithes," says Lord Bacon," are matters of profit, and in their nature temporal; but by a favour and connivance of the temporal jurisdiction, they have been allowed and permitted to the courts ecclesiastical; to the end that the clergy might sue for that, that was their sustentation before their own judges. And surely for these, the bishop, in my opinion, may discharge himself upon his ordinary judges."

Of the Pacification of the Church; Works, Vol. II. p. 536. Edit. MDCCCLXIX.

(²) "II. De decimis, et ecclesiasticis censibus. *Decimas injungimus singulis Christianis per Christianismum eorum, et ecclesiæ censum, et numerum elemosinarum. Si quis hoc facere nolit, sit excommunicatus.*"

CC. M. B. et H. Vol. I. p. 214.

Spelman on
Tythes, c. xxvii.

*Chron. Johan.
Bromton. Scrip-
tor.* x. col. 871.

History of Tythes, chap. viii. § vii.—every Christian is enjoined "*super Christianitatem suam*"—"upon pain of his Christendom," (as Spelman translates it), to pay *tithes*, under penalty of excommunication; but no appointed agent is introduced to enforce payment or the alternative, as in the subsequent laws of King Edgar (Selden c. viii. § ix.); where, Brewster thinks, the "*præfectus*"¹ or "*sacerdos episcopi*" (iii. *de decimis*) may signify the rural dean²; as may likewise the "*præpositus episcopi*"³ (Selden c. viii. § xii.) of Canute (viii. *de decimis reddendis*).

Granting which identity, it seems that our rural

CC. M. B. et H.
Vol. i. p. 245.

(¹) "iii. De decimis. *Et si quis decimam præstare nolit, proficiascatur ad eum præfectus regis, et episcopi, et ecclesiæ presbyter, et sumant, invito eo, decimam partem, quæ ad ecclesiæ pertinet, et assignent ei nonam partem, et dividantur octo partes in duo, et capiat dominus dimidium, dimidium episcopus, five sit regis, five thani ministr.*"

(²) It cannot be improper to observe, says Brewster, that although the term or style of *præpositus*, or *præfectus*, is generally applied to a civil or temporal magistrate, yet it is also used, by divers of our ancient writers, to denote or signify a cathedral or city dean, some instances of which the editor has quoted from Wharton's *Anglia Sacra*, Vol. i. pp. 431, 448, 559:—from which he apprehends himself warranted to infer, that, by parity of construction, either of the words may be used to describe the rural dean also; and he submits it to consideration, whether the *præpositus episcopi* mentioned in the Laws of King Edgar, and also in the Laws of King Canute, be not the same person with the rural dean. See Part II. p. 92.

CC. M. B. et H.
Vol. i. p. 302.

(³) "viii. De decimis reddendis. *Si quis decimas persolvere nolit, hoc est, decimas agri, eodem modo ac aratrum progressum fecit; tunc convenient regis præpositus et episcopi, et fundi dominus, et ecclesiæ presbyter, et sumant invito illo decimam partem pro ecclesiâ, ad quam pertinet, et assignent ei nonam partem; et dividatur octava pars in duo, et capiat terræ dominus dimidium, et dimidium episcopus, five sit regis, five thani ministr.*"

functionary was, in those rude times, an actual party to the execution of the penalty threatened in the canons. Before proceeding to which extremity, adjudication of the payment, as a preliminary measure, by the rural dean and chapter, and even excommunication of the offender, in pursuance of King Edmund's law (*can. ii.*) had, we may suppose, taken place. Be that, however, as it may, the decimal payment being still withheld, the law took its course, and the *præfectus* or *præpositus* of the bishop (than whom, supposing him to be the rural dean of the district, no more fit local church-officer could be found to aid the civil power in the recovery of ecclesiastical rights) proceeded with the secular magistrate to levy a distress upon the obstinate offender; and having divided the litigated produce into ten parts (according to the capitular decree) bestowed one on the priest, to whom it belonged *de jure*, and whom the law required to attend at the distress in order to receive his *tithe*; a second on the delinquent himself; and the remaining eight parts on the diocesan bishop, and the superior lord of the soil, in equal moieties.

See Nath. Bacon's *Historical and Political Discourse &c.* Part i. c. LXVI. p. 148.

The same mode of procedure for the recovery of *tithes* seems to have continued after the Conquest, in the reign of Henry I.; when the culprit, who resisted the payment of these ecclesiastical dues, fared no better under the same episcopal officer, be he who he may. By this king's law¹, "*De placitis ecclesiæ pertinentibus ad regem*," Selden tells us, there was allotted to the *præpo-*

Selden's History of Tithes, c. viii. § xvii.

(¹) "*Si quis rectam decimam superteneat, vadat præpositus regis et episcopi et terræ domini cum presbytero, et ingratius auferant, et ecclesiæ cui pertinebit reddant, et nonam partem relinquunt ei qui decimam*

Selden's History of Tithes, c. viii. loco citato.

situs episcopi the same summary power of protecting the church's property, and punishing tithe-defaulters.

But in the latter, and other cases referred to, the reader will observe, there is no notice of any previous chapter-court sitting judicially upon the offenders. Such a court there may have been—an ambulatory court of adjudication; but it is not set forth. The actual parties present were the executive officers of the ecclesiastic law; which ordered this very summary punishment for the non-payment of *tithe*. But how were such offenders, at a subsequent period, brought under the eye of the church, *judicially*, in country districts?—by legal process, I believe, in rural chapters.

To the cognisance of *tithe-causes* in their local courts—Christian, deans rural awhile undoubtedly laid claim. The decision of the itinerant judges of the reign of Henry III. supports them in the exercise of it. But, seeing the great powers which the church gave to her parochial priesthood individually, in claiming and securing their just rights and possessions, and the censures (of the highest grade) which she capacitated them to inflict on violators and purloiners of her property—censures at that period as operative, as they would now be ineffectual—it is probable that the calls upon decanal authority for interference in these matters were rare; and more rare those upon the chapter-court of the deanry¹.

Prynne's *Ufur-*
pations, Tom. III.
B. v. c. i.

partem dare noluit." "Particulars of the exercise of this kind of jurisdiction, beyond what is already quoted," Mr. Selden remarks, "have not come down to us in the monuments of the Saxon age."

CC. M. B. et H.
Vol. i. p. 720.

(¹) From the *Constitutions* of Giles de Bridport, bishop of Sarum, (A.D. MCCLVI.) I extract the following enactment—"Quid multi inveniuntur decimas dare nolentes, statuimus, quod parochiani admoneantur primo

Still such cases occasionally arose. *Tithe-contentions* sprung up, of difficult solution; and the rural consistory was called on to adjudicate between the contending parties—having, by commission, or devolution from the higher courts, a jurisdiction in such cases.

It was on these and other like occasions of disputed or subtracted *tithe*, in later days, that the archdeacon sometimes presided in the rural court—Christian, and delivered the decision of the united chapter instead of the dean. Thus, in a long-pending controversy between the church of Saint Frideswide in Oxford and the cell of Coges, concerning two parcels of *tithe* in Fretwell, Robert Archdeacon of Oxford notifies the settlement thereof as taking place in his presence, “*in præsentia nostrâ et totius capituli in decanatu de Stokes &c.*”

Parochial Antiquities, Vol. I. p. 170.

Regist. Sanct. Frideswidæ, MS. Carta 466. Wilkes sub ann.

Occasionally, both archdeacons and rural deans were executors of the sentence of superior ecclesiastical judges in *tithe-causes*; as in the dispute about the *tithe* of Sulthorn Hide, between the rector of Sulthorn (now Soulthern) and the prior and canons of Saint Frideswide, Oxford; wherein the archdeacon of Oxford and rural dean of Heyford were appointed to execute¹ the sentence of the Pope's delegated judges (the priors of Saint John's and Saint James, and the dean of Northampton);

Parochial Antiquities, Vol. II. pp. 4, 5.

Ex Chartul. S. Frideswidæ, p. 210.

primò et secundò et tertio, ut decimas Deo et ecclesiæ fidelitèr solvant, quod si se non emendaverint, primò ab ingressu ecclesiæ suspendantur; et sic demùm ad solutionem decimarum per censuram ecclesiasticam, si necesse fuerint, compellantur. Sed cum dictæ suspensionis relaxationem vel absolutionem petierint, ad ordinatum loci mittantur absolvendi, et debito modo puniendi.”

(¹) The decree of the priors and dean of Northampton is given by Kennett, in his interesting work, pp. 3, 4.

and, upon a second appeal to Rome, the rural dean of Ytteslep (now Ilip) executed the decree—(A.D. MCCXXIX.)

Cæsarea, by
Falle & Morant,
Append. No. x.
p. 209.

The rural deans of Jersey and Guernsey still retain the cognisance of all subtractions of *tithes*, as appears from the *Ecclesiastic Constitutions* of those isles:—"XXIX. *Il appartient au doyen de cognoistre de toute subtraction de dixmes affectées à l'église, de quelque espèce qu'elles soyent, qui ont esté payées aux ministres, et dont ils ont jouy et sont en possession depuis quarante ans; et toute personne convaincue de subtraction, fraude, ou detention d'icelles dixmes, sera adjugée à restitution, avec les frais et coustages de la partie; et pour la conservation de tous et chascun les droicts bénéficiaux, dixmes, rentes, terres, et possessions, il y aura un terrier fait par le bailly et jurets, assistés du doyen et procureur du roy.*"

From several ecclesiastical memorials still remaining with us, it appears that *mortuaries* and *heriots* have been sued for and recovered, again and again, in rural chapters.

*Collectanea Ec-
clesiastica.*

Ex. gr.—Brewster notes, that the priory of Dunstaple, A.D. MCCXLVI., obtained a decree¹ from the capitulum of Dunstaple against John Hyde for the recovery of a *mortuary*. And the *Analecta* from the register of Evesham Abbey deliver accounts of two similar adjudications,

*Chron. fies Ann.
Prior. de Dun-
staple*, Vol. i.
p. 274.

(¹) "*Eodem anno obtinuimus in capitulo contra Johannem de Hyda, quòd melius averium solvatur ecclesiæ, pro domino domus defuncto; et secundum melius averium pro dominâ domus defunctâ, tam de equis, quàm de aliis animalibus.*"

A.D. MCCLXXI.—one by the chapter of Evesham¹, and the other by that of Warwick Deanry². To the last of which instruments, the decanal seal of office, “*Sigillum decanatus de Warwiche*,” was affixed.

Some parishioners of Ambrosden refused (*A.D. MCCC.*) to pay an accustomed *mortuary* to the rectory of the place. And upon complaint being made to the court of Christianity, a mandate passed from the official of the archdeacon to the dean of Burcester to go to the said church of Ambrosden *with a competent number of his rural clergy*, and there admonish the said parishioners to

Parochial Antiquities, Vol. 1. p. 522.

(¹) “*Judicium Capituli Eveshamie.*”

“*Anno Domini mcc. septuagesimo primo, die Jovis proximo post festum Sancti Nicolai, celebratum est capitulum apud Evesham, in ecclesia Sancti Laurentii, presidentibus Domino Willelmo de Withechirche, tunc abbate Eveshamie, et Johanne decano ejusdem loci; coram quibus cum mota esset questio, per B. de Jureberga sacristam Eveshamie de mortuario natorum qui reddunt terras suas domino fædi cum herietis, utrum tunc teneantur solvere mortuarium ecclesiæ, determinatum et statutum est, per predictos presidentes, de consuetudine diversorum episcopatum et decanatum, et de consilio virorum prudentium, presentis capituli, quod qudcunque hora dominus fædi recipit herietum suum, ecclesia percipit mortuarium, secundum consuetudinem vallis, vel precium mortuarii, die sepulture, de eo qui recipit eandem terram, et bona defuncti, tempore quo tradit terram domino suo. Contra istud statutum, fuit filius Alicie Godfoule de Bredefortona, et Matildis Perfon de Wickwana, et Matildis relictæ Andree, de eadem—qui convicti rationibus, et judicio capituli, statim de suis mortuariis satisfecerunt ecclesiæ Eveshamie.*”

Ex Registr. de Evesham. in Bibl. Cotton. Vespas. 15.

(²) “*Judicium Capituli de Warwick de mortuario.*”

“*A.D. MCCLXX. primo in crastino Sancti Thomæ Apostoli, celebratum est capitulum apud Sincenefelde, presidentibus magistro Hugone Tancarde, officiali domini Roberti de Elthal, archidiaconi Wigornie, et domino Galfrido, decano Warwyke, rectore ecclesiæ Sancti Michaelis de eadem. Quia legitime constat nobis dictis presidentibus, per sacramentum fide dignorum ville de Saresford, quod Ricardus Herberd de eadem, habuit*

pay those accustomed dues ; and, upon their default, to excommunicate with bell, book, and candle¹.

CC. M. B. et H.
Vol. I. pp. 698,
718.

In demanding *mortuaries*, which were at first voluntary, but afterwards customary, Archbishop Gray's *Constitutions* (A.D. MCCL.), and those of Giles, bishop of Sarum (A.D. MCCLVI.), bid the clergy² to have the fear of God before their eyes, while obeying the provincial customs of claiming the church's right ;—which is ordained by Archbishop Winchelsey's *Constitutions* (A.D. MCCCv.), to be the second-best animal of the deceased in the parish where he received the sacraments while alive ;—the best³ being reserved for him to whom it was legally due.

habuit quandam vaccam suam propriam, die quo obiit, Nos de consilio et consuetudine capituli nostri de Warwyke, medietatem dictæ vaccæ, nomine mortuarii dicti defuncti, ecclesiæ Eveshamensi adjudicamus, reliquâ medietate domino suo sæcû remanenti, nomine herietci. —In cujus rei testimonium huic patenti litere sigillum detanatus de Warwike apposuimus."

All these suits, Mr. Brewster observes, appear to have been carried on, and determined upon, the plan or ground of the ancient powers, originally vested in, and belonging to, rural chapters, without the aid or assistance of any novel or additional power, subsequent in time to the Conquest.

CC. M. B. et H.
Vol. III. p. 739.
ex For. Vol. II.
p. 254-6.

(¹) On curfing with bell, book, and candle—the great curfe and anathema, see Selden de *Synedriis Veterum Ebræorum*, Lib. I. col. 944, seqq.

(²) Of the "*Grievances of the House of Commons against the Clergy of England*"—(A.D. MDXXX.—Hen. VIII. 22.), "the second cause was, that great polling, and extream exaction which the spiritual men used in taking of *corps-presents*, or *mortuaries*; for the children of the dead should all die for hunger, and go a begging, rather than they would of charity give to them the silly cow, which the dead man ought, if he had but only one ; such was the charity of them."

Spelman De Se-
pulturâ. English
Works, p. 189.

(³) "The lord of the fee had the best beast of the defunct," says Spelman, "by way of an *heriot* for the support of his body against secular enemies ;

Disputes having arisen upon the interpretation of these *Constitutions*, Archbishop Langham thought fit to explain and enforce them by a *synodal* interpretation. And it was to carry into execution the final clause of his *Constitution* that the¹ agency of rural deans was employed in their capitular meetings, under the general title of *ordinarii*—“*Ad solutionem autem debiti de jure vel consuetudine mortuarii renuentes volumus per locorum*

CC. M. B. et H.
Vol. II. p. 279.

Provincial. p. 22.

enemies; and the parson of the parish had the second; as a *mortuary* for defending his soul against his spiritual adversaries. I know the *Provincial*, and Lindewode following it, do say, that the *mortuary* was given in recompence of personal tythes forgotten or omitted; but under correction, I doubt of that; because that in the ancient *formulary* of wills, and by the canon of the synod of Exeter, it is expressly directed, that in all of them there shall be an especial legacy of somewhat to the parson for tythes and oblations forgotten or pretermitted; and if a *mortuary* were for the same reason, then had the parson in many places two several recompences for one and the same thing. It were very unreasonable also that a poor man, having nothing tythable but three horses, should give the second of them to the parson for tythes omitted, when he whose tythes are worth forty or fifty pounds a year giveth no more; nor is it like an *heriot*, which by contract between the lord and tenant was reserved upon the original grant.”

See also Fuller's
Church History,
Cent. XII. B. III.
p. 83. & Ayliffe's
Parergon. I.C.A.
pp. 378-9.

(¹) In an ancient *presentment* of the thirteenth year of Edward II. (as Prynne conjectures) made by a jury of the county of Norfolk to the king's justices, the following charges occur:—“*Dicunt, quòd cùm Semanus Kreyc de Wryaing Magna legavit ante corpus suum quendam equum pretii 3s. Willielmus rector ecclesiæ noluit prædictum equum recipere, quia prædictus defunctus habuit meliorem equum illum calumpniavit ut jus ecclesiæ suæ, tandem propter timorem summonicionis ad capitulum sibi tradiderunt quendam equum pret. sex solid.*” The same difference of opinion appears in a subsequent *presentment* of the same parchment, touching the price of a *mortuary* cow—one of 5s. worth being rejected because the estate of the deceased possessed a second valued at 7s.

Prynne's *Papal*
Usurpations, &c.
Tome Third,
pp. 1270-1.

By

ordinarios (qui præsunt jurisdictioni ordinariæ, et possunt uti censurâ ecclesiasticâ Lynd. Prov.) censurâ ecclesiasticâ (per suspensionem, excommunicationem, et interdictum Lynd. Prov.) coarctari."

Gibson's *Codes*
I.E.A. Vol. I.
p. 709.

By a statute of Hen. VIII. 21. cap. 6. *mortuaries* are confounded with *corse-presents*;—which seems to be Lyndwood's interpretation; viz. that they were carried to the church with the dead corpe. But, on the authority of Sir W. Dugdale (*Warwick*. p. 470.), and Bishop Stillingfleet (*Ecclef. Cases*, P. I. p. 248.), corse-presents, in Gibson's opinion, were properly the voluntary oblations usually made at funerals.

CHAPTER VII.

TESTAMENTARY MATTERS.

RURAL deans, in their chapter or court of Christianity, had at first not only the *probate of wills*, says Kennett, and the decision of all *testamentary causes*¹, but, as ordinaries of the place, they had cognifance of all other matters appendant thereto; as the *confirmation of executors*, the *designation of administrators*, the *receipt of inventories*, the *disposition of legacies*, the *distribution of intestates' goods*, &c. until the archdeacons broke in upon this privilege, and assumed it to themselves:—for which Mr. Somner cites an injunction of the archdeacon to all rural deans of the diocese of Canterbury, in these words:—
“Decanis in finuationem testamentorum, et rectorum et aliorum beneficiatorum quorumcunque admittere omnino

Parochial Antiquities, Vol. II. pp. 349, 351.

Lyndwood Provincial. L. III. Tit. XIII. p. 168.

Antiquities of Canterbury, P. I. p. 176.

Appendix to Supplement, No. XXXI. p. 59.

(¹) “*Testamentary causes*, though matters of profit, and in their nature temporal,” Lord Bacon says, “have been allowed and permitted to the courts ecclesiastical by a favour and connivance of the temporal jurisdiction, in a kind of piety and religion, which was thought incident to the performance of dead men’s wills.” And he proceeds to remark, that the bishops may with little comparative danger “discharge themselves” of this part of their personal jurisdiction “upon their ordinary judges.”

Of the Pacification of the Church, Vol. II. p. 536. *Works*. Edit. MDCCCXIX.

It is the opinion of the bishop of Peterborough, that deans rural were heretofore of the number of such ordinary judges, to whom the bishops delegated their *testamentary* jurisdiction.

interdicimus, et si secùs per illos factum fuerit, irritum ex nunc decernimus et inane."

But neither in the councils of Great Britain and Ireland, nor in the general collection of Colet with Manfi's *Supplement* (save in one¹ single instance below quoted), do I find these *testamentary* powers *vested* in *deans rural by name*, nor otherwise than as "*locorum ordinarii*;"—under which generic title the bishop of Saint David's does not admit them, in his copious glosses on the constitution *De testamentis*. Still bearing in mind Lyndwood's no great affection for our *decanal ordinaries*, and the consequent bias that led him to curtail their undoubted privileges on other occasions, I am not inclined to interpret his silence to their detriment here.

CC. M. B. et H.
Vol. I. pp. 550,
754.
Vol. II. pp. 155-6.

As local judges, therefore, in *testamentary matters* (though not *expressly* named), we will suppose them to be alluded to in the Dublin synod (*A.D.* MCCXVII.), in the council of Lambeth (*A.D.* MCCLXI.), of Exeter (*A.D.* MCCLXXXVII.), and in some others. For being inhibited, again and again, as we shall presently see, from the cognifance of matrimonial causes *particularly*, it may be reasonably concluded, that *wills* and *administrations* were submitted, under certain restrictions, to their jurisdiction; and that they had a jurisdiction temporary, that extended to these documents, may be inferred, again, from the *Constitution* of Otho, *De sigillis authenticis*.

CC. Rotomag.
Prov. P. II. p.
564. Synodi Con-
stant.

(¹) One only exception occurs to me, and that of a qualified nature—not in the SS. CC. but in a provincial collection—it is in the synod of Coutances (*A.D.* MCCCLXXV.), to this effect—"Quòd nullus decanus ruralis metas sue jurisdictionis excedat; nec aliquod testamentum ultra quadraginta solidorum summam publicet, vel approbet."

But the point is not left to mere conjecture. Long usage has established the *testamentary* jurisdiction of *deans rural* in some dioceses. The constant exercise of the power¹ of *proving wills* by these officers within the diocese of Chester, though not authenticated in the *councils of Great Britain* (and there is not the least trace of it *there*), is an undoubted establishment of a local right to such authority. Indeed, Dr. Newton deemed the *testamentary* jurisdiction of *decanal ordinaries* so ancient in the diocese of Chester, as to be protected “by prescription, limitation, exception, and custom.” The particulars of this jurisdiction (which still continues, according to the evidence of Mr. Ward before the ecclesiastical commissioners) the reader will find in the *grants of office by patent* to *deans rural* of the diocese of Chester, in the *Appendix*.—Briefly stated, they were *proving wills*²,

Ms. Ledger-Book, penes Registr. Diocesis. Cestr. W. Ward.

Eccles. Courts' Report, MDCCCXXXII. pp. 180, 181.

(1) “xx°. die mensis Octobris, anno Dñi Millefimo quingentesimo xxx°. coram Willmo Wall, capell. et deputat. mag. offic. in Ecclia Coll. S^{ti}. Johis Cestrise.

Ex Libr. Registr. MS. Diocel. Cestr. penes W. Ward.

“Quo die uxor Thomæ Croughton nuper defunct. et Willm. Fraunceſſe executores nominat. in testmō dicti defuncti copierunt in Ecclia præd. et exhibuerunt testamentum et inventarium oñu. bonor. ipsiq. defunct. qui examinat. et jurat. sup. dict. testament. et inventio cum testibus et bonor. appreciat. concess. est admōratio oñu. bonor. dict. defunct. sub sigillo Decanatus de Wirrall p. sigillum offic. nō ad marg.”

This document, from the old *Litger*, or *Register-book* of Chester, clearly shews that the rural *Dean* of Wirrall had an *authentic seal*; and exemplifies one of the many uses to which the instrument was applied.

(2) Sir Robert Wifeman delivered it as his opinion (Oct. 28, MDCLXII.) “That neither the Chancellor to the bishop of Chester, nor the bishop’s principal Registrar can or ought to intermeddle with doing of any act of jurisdiction, or registering any thing, or speeding any act, or dispatching any business, which by law practice and custome has been sped, executed and dispatched, by the rural *deanries*, and the Register or Registers thereof:—

Sir Robert Wifeman's Opinion, MS. cit.

such

where the estate was under 40*l.* (the *wills* of knights and clergymen excepted), calling for *inventories* and *accounts*, granting *administrations* under the cited value, assigning *curations* &c.¹ In the year MDCXV., this jurisdiction seems to have been enlarged to the *probate* of *all wills*, as well above as under 40*l.* But then the office of commissary was united to that of *Dean* rural, and so continued in the archdeaconry of Richmond, while the latter enjoyed the augmented capacity ².

History of Manchester, Vol. II.
p. 385.

Mr. Whitaker tells us, the *Dean* of Manchester still retains *the probate of testaments* which bequeath not to the value of 40*l.*: and, I believe, the archdeacon of Chester and commissary of Richmond exercise the same power by virtue alone of the *decanal* office of the different *deanries*, now consolidated and vested in them.

W. K. M^r. M^r.
Paroch. Antiq.
Vol. II. p. 348.

Ley's remarks on the extensive ordinary jurisdiction of these northern *Deans* have been cited in an earlier

such are *probates of wills* where the estate is under 40*l.*, the *wills* of knights and clergymen excepted, calling for *inventories* and *accounts*, granting *administrations*, the estate being under the same value, assigning *curations* for the ends aforesaid, proceeding against all ecclesiastical offences and saylings (excepting adulterys and incest), enjoining penances and inflicting ecclesiastical censures, and doing such other matters as are necessary dependences upon the premises. All which is to be limited to the compass of the said *deanries*, and to be extended no further."

M^r. Redgrave
Book, penes
Registr. Dioces.
C^{ler}. W. Ward.

(¹) Chancellor Wainwright (*A.D.* MDCLXXXIX.) laid claim to a concurrency of jurisdiction with the *Deans* rural; and now and then proved *wills* under 40*l.*, for the sake of keeping up the concurrency. Whereupon he was sued at law by the said *Deans* for money received by him for such *probates*; and a verdict, it is said, was had against him."

(²) With full *testamentary* powers the *Canons Ecclesiastical* of the isles of Jersey and Guernsey invest the *Deans* rural there, and such the *commission* of the late bishop of Winchester grants to the late *Dean* of Guernsey

page, from his *Refusal of the Oath in Convocation, A.D. MDCXLI*. The same powers had been previously observed in the *Puritan's Defence of the Admonition, A.D. MDCIV*. p. 419.—“In Cheshire, Lancashire, Yorkshire, Richmundshire, and other northern parts, there be many whole *deanries* exempted from the bishop's jurisdiction, wherein the *deans* and their substitutes have not only the *probates of wills* and *graunting of administrations*, but also the cognisance of ecclesiastical crimes, with power to use the ecclesiastical censures. Yea, and this authority of the execution of ecclesiastical censures have those *deans*, either long since, by some papal priviledges obtained, or els by long use prescribed against the bishops.”

The *testamentary* powers of the *deans rural* of the diocese of Norwich even surpassed those of Chester; and were as fully protected by prescription and custom till the era of the Reformation, when they fell to the arch-

Blomesfield's
Norfolk, Vol. iv.
p. 63.

Guernsey by name. The former will here suffice:—“26. *Le doyen aura l'insinuation et approbation des testamens, lesquels seront approuvés sous le sceau de l'office, et enregistrés; aura aussi l'enregistrement des inventaires des biens-meubles des pupilles, desquels il gardera fidèle registre, pour en donner copie toutes fois et quantes qu'il en sera requis. Item, baillera lettres d'administration des biens des intestats, qui mourront sans hoirs de leur chair, au prochain héritier.*”

Cæsarea, by
Falle & Morant,
pp. 208, seqq.

“27. *Ceux qui seront saisis du testament, soit héritiers, exécuteurs, ou autres, seront obligés de l'exhiber et apporter au doyen dans un mois; faute de quoy seront convenus en court par mandat, en payant doubles coustages pour la compulsoire; et aura le dit doyen pour les dits testamens, inventaires, et lettres d'administration, tels droicts qui sont spécifiés en la table sur ce fait.*”

“28. *Toutes légations mobilières faites à l'église, ministres, écoles, ou pauvres, seront de la cognoissance du doyen; mais sur l'opposition qui pourroit estre faite de la validité du testament, la court temporelle en déterminera entre les parties.*” See Berry's *Guernsey*, p. 263.

deacons. The dean rural of the city of Norwich had power to *prove* the *wills* of such persons dying in his *deanry*, we are told, as were not *clerks* or *gentlemen of arms*—all such belonging to the bishop only—and having no goods out of the jurisdiction of his *deanry*—all such belonging to the archdeacon. The same extensive jurisdiction in *testamentary* matters was also exercised by the other *deans* rural of the diocese of Norwich. But none of them were concerned with the *probate of wills* of noblemen, of gentlemen bearing arms, or of clergymen—all such belonging exclusively, throughout the whole diocese, to the bishop's jurisdiction.

Strype's *Annals of the Reformation*, Vol. II. P. II. p. 699.

In the form of government by rural *deans*, or *superintendants*, drawn up by Bishop Freak of Norwich (A.D. MDLXXX.), it is proposed to restore to these officers certain *testamentary* jurisdiction. The bishop recounts the prevalent abuses of the existing system of *proving wills* and *granting administration*, and says—"For remedy whereof these *superintendants* might do great service, if any should dy within their *deanry*, to send for the minister, or some of the parish, to examine the truth of the *will* without alteration, or the occasion of his dying intestate. Which might be very well done at their assembly at *prophecies*, or preaching every month or fortnight. Whereby all those which otherwise of devotion would not peradventure frequent those exercises, might upon occasion of necessary business do it. Then the *superintendants*, upon tryal and knowledge, taking the parties oath, to forth it to the officers, there to be *proved* accordingly. This one service of the *superintendants* would stay infinite suites."

CHAPTER VIII.

MATRIMONIAL CAUSES.

ON the same high antiquarian authority (Dr. *Parochial Anti-*
 White Kennett), the court-Christian of the *quities*, Vol. II.
 dean rural had likewise the cognifance of p. 349.
matrimonial causes and *matters of divorce*,
 till, in the council at Oxford, under Archbishop Langton
 (A.D. MCCXXII.), an inhibition passed to the following
 effect:—" *Quoniam in causis matrimonialibus magna est*
discussio necessaria, unde periculosum est eas à simplicibus
tractari; statuimus, ut decani rurales nullam causam matri-
monialem (nec ad matrimonium conjungendum, nec ad CC. M. B. et H.
matrimonium disjungendum, gloss.) de cætero audire præ- Vol. I. p. 588.
sumant; sed et earum examinatio non nisi viris discretis can. xx.
committatur, quibus assidentibus, si commodè fieri poterit,
postmodum sententia pronuncietur." Provincial. L. II.
 Tit. I. p. 79. gl.
 in voce.

The reason why deans rural were not to presume to sit *judicially* upon such causes, either "*ratione officii*," or "*prætextu consuetudinis*," Lyndwood assigns, in his commentary:—" *Nam cum tales decani rurales non sunt per-*
petui, et quicquid faciunt, non suo sed alieno nomine faciunt;
etiam ratione consuetudinis præscribere non possunt &c."

(1) On this account, as well as others, Atterbury argues, the office must needs afterwards have declined apace; because a disuser would bar them of any branch of their authority, and no custom whatsoever could either give them what they had not, or restore to them what they had lost. *Charge to the Clergy of the Archdeaconry of Totnes,* MDCCVIII.

And because also, Atterbury apprehends, their period of office was often likely to determine ere such intricate causes, wherein many witnesses were to be examined, could be ripened to a sentence. To which sufficient reasons, the bishop of Saint David's subjoins, out of¹ sheer prejudice, a further plea of disqualification in their supposed ignorance of the canon-law :—" *Quid, ut communiter, tales decani rurales sunt imperiti, et juris ignari.*" In which invidious insinuation of incompetency he is supported, with much of the same spirit, by John de Athon, in his gloss on the twenty-third *Constitution* of Cardinal Otho (*A.D. MCCXXXVI.*). Nor do the deans meet with better treatment from Mr. Somner, who flatly forbids them to meddle with *matrimonial causes* and the like, "as being, by common intendment, not qualified with skill enough to handle them."

Provincial. L. II.
Tit. i. p. 80.
gl. in v.

Const. D. Othom.
p. 59.

Antiq. of Canterbury, Part. I.
p. 176.

Provincial. L. II.
Tit. i. p. 80.
gl. in v.

And yet, in an hypothetical case subsequently raised by the official of Canterbury in his gloss on "*viris discretis*," he admits, that, by special commission of the bishop, *matrimonial causes* may be delegated to a dean-rural's court of judicature, "*Si talis decanus ruralis alius sit ad talia discretus, sciens, et idoneus.*" To the bishop, however, alone the power of hearing them primarily and essentially belongs, "*de jure communi*;"—abbots, cathe-

Parochial Antiquities, Vol. II.
p. 350.

(¹) It is apparent, says Kennett, that the glossator, John de Athon, canon of a cathedral church, was a professed enemy to rural deans; and, in several of his notes, flurs over the dignity and authority of this office. The same partial humour runs through the glosses of William Lyndwood, official of the court of Canterbury, who visibly strains the sense of some terms and expressions, in prejudice to the rural deans; and does, in one place, roundly condemn them all for men unlearned and ignorant of the law.

dral deans, and archdeacons, claiming it only "*ex privilegio vel consuetudine præscriptâ*;" and, as appears from the *Constitutions* of John Thoresby, archbishop of York (A.D. MCCCLXVII.), so often abusing their privilege by the sale of their judicial character to inferior and dishonest substitutes—"etiam interveniente nonnunquàm notabili pecuniæ quantitate"—that it was found necessary to place them under severe restrictive penalties for the due *personal* exercise of their functions.

CC. M. B. et H.
Vol. III. p. 71.

A curious question ensues in the *Provinciale*—"Whether the deans of the archbishop's peculiars, as Shoreham, Croydon, and others, can, *ex consuetudine præscriptâ*, have cognizance of *matrimonial causes*?"—To which the author responds in the affirmative;—because, says he, those deans have archidiaconal jurisdiction "*in locis suis*," and are subject to the archbishop alone, who deposes them: "*Cum tamen cæteri decani rurales, etiam ut communiter, subsint archidiaconis.*" *Vide plura in loco*¹.

Lyndwood Provinc. L. II. Tit. I.
p. 80. gl. in v.
committatur.

Whatever capacity of sitting judicially on *matrimonial causes*, in court-Christian, deans rural may have had before the thirteenth century, they do not appear to have retained it after its commencement: though Bishop Kennett is of opinion that the twenty-third *Constitution* of Cardinal Otho, already referred to, allows them to retain their jurisdiction in these matters, provided they could allege privilege or custom for the same. But, without at all regarding the annotations of the glossator, to which the bishop objects on the score of prejudice and partiality, I am inclined to interpret the term

Parochial Antiquities, Vol. II.
p. 350.

Const. D. Othone caus. matr.
p. 59.

(¹) From the like character of their jurisdiction, the deans of Jersey and Guernsey are at present invested with powers "*to proceed in matrimonial causes and contracts.*" *Berry's Guernsey*, p. 263.

“*decant*” of the text (“*si qui verò decant, archidiaconi, vel abbates, &c.*”) as meaning cathedral, and not rural deans. Indeed the whole preamble of the canon appears to me to be directed against the latter, as pointedly as possible, by implication;—because no judge is to take cognisance of *marriage-causes*, “*per cujus simplicitatem, imperitiam, vel ruditatem, inutilis feratur sententia, vel injusta, et ab-solvatur nocens, et innocens condemnetur*:”—which very defects in the judicial character of the dean rural, real or imaginary, are elsewhere alleged as disqualifying him to preside over such difficult suits¹.

Whether, however, John de Athon or Kennett be right, the canon residentiary or the bishop, is not worthy more minute inquiry; for the sequel of the law restrains the decanal, archidiaconal, and every other delegated authority, from proceeding to a final decree in their

*Parergon Juris
Canon. Angli-
cani*, pp. 205-6.

(¹) “’Tis provided by a *Provincial Constitution*,” says Ayliffe, “that, for the future, no rural deans shall presume to hear or take cognisance of any *matrimonial cause*, either in order to join or dissolve a *marriage*, on account of their office, or under any pretence of any custom whatever; because the plea in both cases is *de fœdere matrimonii*, and concerns the validity of it. And, consequently, they cannot hear incident causes, or such matters as are accessory thereto. And, as they cannot hear or examine such a cause, so, consequently, they cannot decide the same; because, if that is prohibited which is less, that is likewise, *à fortiori*, prohibited which is greater. By the canon-law, rural deans cannot prescribe to have jurisdiction in *matrimonial causes*, either in regard of their office, or under any pretence of custom; for, as they are not perpetual, and as whatever they do is not done in their own name, they cannot prescribe to have jurisdiction on the foundation of custom. Nor have they any jurisdiction from such as do make or constitute them rural deans; since they do not design to give this power to them. And another reason is, because these rural deans are generally ignorant and unskilful in the law.”

respective courts or chapters, "*nisi prius habita deliberatione de causæ meritis cum diocesano episcopo diligenti, ipsiusque requisito consilio et obtento.*"

CC. M. B. et H.
Vol. I. p. 654.

Inhibitions innumerable appear in our insular, and in foreign councils of the thirteenth and fourteenth centuries, restrictive of the interference of deans rural and their chapters, and, in a few cases, even of archdeacons, in *matrimonial, testamentary, and civil causes* of grave import,—all such being reserved for the bishop's personal cognisance. Canonical notices to this effect occur in the tomes of the councils at large, and particularly in Wilkins's *CC. M. B. et H.*, too numerous for citation:—*ex. gr.*—before the Oxford council of Archbishop Langton, quoted by the parochial antiquary as the *first* that imposed the limitation in question, we find the tenth canon of the Meath *Constitutions* (*A.D. MCCXVI.*) forbidding to archpriests *probate of wills, matrimonial, simoniacal, criminal, and beneficiary causes.* Definitive sentences are again forbidden to them in *marriage-suits* by the Durham council of *A.D. MCCXX.*—"in dubio casu, inconsulto episcopo;"—which would rather indicate, by the way, that, in clear straight-forward cases, deans and others might judge and decide. The council of Rouen (*A.D. MCCXXXI.*), can. XIII. inhibits, "*Ne aliquis archidiaconus, seu decanus ruralis, five monachus, vel quicumque alius, cognoscat de causis matrimonialibus, nisi super hoc privilegium apostolicæ sedis habeat, vel ab antiquo sic fuerit consuetum: sed cùm in eorum auditorio talis quæstio devenierit, eam episcopo loci, vel ejus officiali, sine moræ dispendio studeant nunciare, partes ad ipsorum examen competenti termino remittentes.*"

CC. M. B. et H.
Vol. I. p. 548.

P. 582.

CC. Rotomag.
Prov. P. I. p. 135.
SS. CC. Tom.
XIII. col. 1254.

This was the usual custom of the age. The council

Col. 1262.

Thomassin. *V. et*
N.E.D. Tom. I.
 P. I. L. II. c. VI.
 p. 229.
SS. CC. Tom.
 XIV. col. 139.

of Château Gontier (*A.D.* MCCXXXI.) forbids *deans* rural to have any thing to do with *causes matrimonial*, "*authoritate propria*;"—the same inhibition is repeated at Laval (*A.D.* MCCXLII.): "*Nisi de speciali mandato sui pontificis nullatenus cognoscere vel definire præsumant de causis matrimonialibus, simonia, vel aliis quæ ad degradationem vel admissionem beneficii, vel depositionem exigant.*" All which things are again forbidden to *deans* rural, and others, at Saumur, (*A.D.* MCCLIII.);—where these, and other inferior functionaries, exercising ecclesiastical jurisdiction, are charged not to employ officials or deputies; "*sed extra civitatem*," says the canon, "*in propriis personis suum diligenter expleant officium.*" The same canon passed the synod of Langrac (*A.D.* MCCLXXVIII.), and others. Again, *deans* rural are inhibited *causes matrimonial* at Norwich (*A.D.* MCCLVII.), unless specially commissioned by the bishop;—at Bayeux (*A.D.* MCCC.);—at Winchester (*A.D.* MCCCVIII.), where the *deans* are called *deans of the archdeacons*;—at Treves (*A.D.* MCCCX.), where the title of "*forenses archipresbyteri*" is applied to them, can. xxv.;—at Dublin (*A.D.* MCCCXLVIII.), can. x.;—with many others of later date;—not omitting the council of Malines (*A.D.* MDLXX.), "*cap. III. De correctione clericorum*;" and the council of Trent, *sess.* xxv. c. 14.

From the frequent repetition of the same inhibition, it is clear, says Thomassin, that the officers in question were continually evading the limitation, then placed on their ecclesiastical jurisdiction, and usurping the privileges of their superiors. But *see* the remarks of White Kennett on the *Dean's* priority of cognisance of *matrimonial* and other causes, in the second volume of his *Parochial Antiquities*, pp. 350, 351. and my subsequent observations at the close of this section.

CC. M.B. et H.
 Vol. I. p. 734.
 Vol. II. p. 299.
Thef. Anecd.
 col. 244.
CC. M.B. et H.
 Vol. II. p. 748.
SS. CC. Tom.
 XXI. col. 598.

CHAPTER IX.

BENEFICIARY MATTERS.

AS deans of Christianity, we are told, our rural functionaries had likewise in their chapters a great share in the trials for the right of advowson, and the possession of benefices; while, by orders from a superior judge, they were to make *inquisition* into the *darrein presentment*, or *last turn of presentation*; and by the verdict of such *inquest* could prejudice the present incumbent, and give possession to a new clerk; till the abuse of this power occasioned a regulation of it in the council at Lambeth (*A.D. MCCLXXXI*). Such is the summary statement of Bishop Kennett; and I believe it to be correct.

Parochial Antiquities, Vol. II. p. 352.

CC. M. B. et H. Vol. II. p. 58.

The whole process of the ancient ¹ *inquisitio* (of which the modern *jus patronatus* formed a part) "*per quam solet inquiri de jure presentantis, et meritis presentati, necnon de vacatione ecclesie, et ipsius vacationis modo, &c.*"

Lyndwood, *Provinc. L. III.* Tit. XXI. gl. in v. *inquisitionem*, p. 217.

(¹) It was the practice of the thirteenth century, upon the death of an incumbent, to have a jury consisting half of the clergy, half of the laity, and the bishop, or his *representative*, presiding as judge; in which the right of patronage, and the qualifications of the clerks presented, were determined. Against the abuse of these ordinary *inquests*, as too often perverted under the presidency of deans rural to the violation of benefices actually full, the Lambeth *Constitutions* provide. To oppose such an official "*inquisitio de jure patronatus*," upon a church becoming vacant, was an excommunicable offence.

Johnson's *Ecclesiastical Laws*, *A.D. MCCXXII.*

CC. M. B. et H.
Vol. I. p. 547.

Of the Church,
B. v. p. 508.

was often configned to the local court of the dean rural. The *Constitutions* of the bishop of Meath committed some of these matters to the archpriests of that diocese immediately on their appointment to succeed the *chor-episcopi*:—" *Faciant inquisitiones fieri* (viz. archipresbyteri seu decani rurales) *de beneficiis vacantibus, et de intrusis viciis laicis in beneficia, &c.*" can. x. And so the learned Dr. Field writes:—"The deans were to take notice of all places of ministry void, upon what occasion, and by whose fault they continued void: of all intrusions into places of ministry, and of the investiture of all such as newly entred into the charge of the ministry, and the authority by which substitutes supply the places of other men¹."

The abuse of this power of holding *inquisitions of vacant benefices* in the rural court-Christian, having led to false and clancular presentations to cures *already full* (too often secretly entertained by the court, to the displacement of rightful incumbents, and the substitution of illegal successors—the former, all the time, being in utter ignorance of the sham pleadings concerted for despoiling them of their preferment), it was enacted by

CC. M. B. et H.
Vol. I. p. 600.

(¹) The following canon, *De receptione secundi beneficii*, should have been quoted in our earlier pages. It calls the attention of deans rural to the enforcement of the Lateran and provincial councils on the subject of pluralities in the diocese of Sarum:—" *Quum in concilio Lateranensi primo dignoscitur esse statutum, et nuper in generali concilio evidentiis fuit expressum, ut quicumque reciperet beneficium, cui esset cura animarum annexa, si prius tale beneficium obtinebat, eo sit ipso jure privatus: et si forte illud retinere contenderit, utroque privetur: archidiaconis, officialibus, decanis præcipimus districtè, quòd tam de recipientibus, quàm de retinentibus, post vulgationem statutorum concilii, nos reddant certiores.*"

Archbishop Peckham, in the fore-cited *Constitutions* of Lambeth (A.D. MCCLXXXI.)—"for the extirpation of this villany from the province"—"*Ut nullus decanus. . . . inquisitionem faciat de præsentationis hujusmodi negotio, nisi in pleno loci capitulo, eo qui possessioni ecclesiæ incumbit vocato legitime, sub tanti temporis spatio, quo possit sibi prudentum virorum consilio prospicere, et defensione status sui sufficienti remedio providere, &c.*"

Johnson's *Eccles. Laws*, A.D. MCCLXXXI.

CC. M. B. et H. Vol. II. p. 58.

If any such clandestine and false *inquisition* was held subsequent to the passing of the statute of prohibition, it was farther decreed, that the said *inquest* should be null and void, and the acts thereof of no obligation; and, by way of marking the council's condemnation of all the parties concerned in the transaction, the Dean, as author of the same, in the capacity of president of the chapter, was to make restitution and satisfaction for all losses sustained by the aggrieved incumbent, and the intruder¹ was to be excluded *for ever* from the benefice on which he had made the iniquitous aggression, and to be suspended from all other church preferment for the space of three years².

(¹) The continuance of this practice of *intrusion*, so late as the days of Bishop Bedell, three hundred and fifty years after the Lambeth *Constitutions*, gives us a bad idea of the state of church-discipline in Ireland in the seventeenth century. That it prevailed, however, at that time, we have the authority of Bishop Burnet; who tells us "it was an abuse *too common* for licentious clerks to pretend either that an incumbent was dead, or that he had no right to his benefice, or that he had forfeited it; and, upon that, to procure a grant of it from the king, and then to turn the incumbent out of possession, and to vex him with a suit till they had forced him to compound for his peace."

Life of Bishop Bedell, p. 95.

(²) See A.D. MCCCLIII. an "*Inquisitio de jure patronatus*," conducted by the clergy within the precincts of the Deanery, wherein the disputed

CC. Rotomag.
Prov. P. II. p. 44.

In *beneficiary inquests*, the *deans rural* of Normandy were early concerned. They were parties to a solemn compact entered into for providing an ambulatory court-Christian for such purposes, in the commencement of the thirteenth century;—on which occasion it was covenanted by the archbishop of Rouen (*A.D.* MCCXVII.), with Philip, king of France, that the *deans rural* should attend, with four presbyters each, at the summons of the civil officers, “*Ad recognitiones ecclesiarum, de quibus dubitatum fuerit ad quos jus pertineat patronatus, et ad removendos fugitivos ab ecclesiis secundum usum et consuetudines Normanniæ, &c.*” If this ambulatory court attended not at the appointed time and place, the dean was subject to a fine of nine pounds (“*sine relaxatione*”) to be given to the lepers’ hospital of Rouen.

Præcepta decanatus facta, &c.

The provincial council of the same see (*A.D.* MCCXLV.) imposes on the *deans rural* the duty of making known to the archbishop the *vacant* churches of their respective *deanries*, the collation to which belonged to the archbishop, either by right of patronage or lapse; and the value of each, as far as it was known to them. The same council also complains of the negligent manner in which “*inquisitiones ecclesiarum*” were carried on by the *deans*, and threatens grave punishment on all future

Jacob's History
of Faversham,
p. 51.

disputed church, viz. Tentwardene, lay: *Chron. W. Thorn.* col. 2080;—also see the protracted quarrel of the Augustine monks and King John, about Faversham church—“*Indèque profectus abbas ad ipsam ecclesiam, convocatis parochianis in præsentia decani loci*”—the dean of Ospringe—&c. col. 1845; again, col. 1956-7-8; and Prynne's *Papal Usurpations*, Tome III. pp. 380, *seqq.* W. Kennett refers to *Munimenta Hospital. SS. Trinitat. de Pontefracto*, MSS. fol. 49. for *inquisition of title to benefices &c.* in rural chapters. MSS. Add. Paroch. Antiq. Vol. II. p. 348.

offenders against the canons and constitutions of the church in this respect.

Dr. Kennett suggests to Bishop Gardiner of Lincoln (A.D. MDCXCIX.) “to have *commissions de jure patronatus*, dilapidations &c., executed by the rural dean and *some assistants*.” And the *Convocational Proceedings* under Queen Anne (A.D. MDCCX.) propose it “as worthy of consideration, whether rural deans should not be the first nominated in all *writs of inquiry de jure patronatus &c.*” Rural chapters had been long extinct at the dates referred to. They expired at the Reformation.

DR. ADDENBROOK,
Parochial Antiquities, Vol. II.
p. 358.

CC. M. B. et H.
Vol. IV. p. 641.

CHAPTER X.

VALORES BENEFICIORUM.

THE *judicial proceſſes* we have been conſidering, were not the only ones carried forward in our rural courts-ecclieſiaſtic, under the authority and ſanction of the hierarchy. Beneficiary inquisitions of another kind, and with another object, formed alſo a part of their ſubject matter. The *balances* of appropriate benefices were there worked out, preparatory to the *ordination of vicarages*; and the general *balances* of all church property, by which *papal* and *royal taxes* were aſſeſſed, were there perfected.

See Wharton's
*Defence of Plu-
ralities*, pp. 103,
ſeqq.
Kennett's *Cafe
of Impropria-
tions*, pp. 18 ſeqq.

The reader is of courſe aware, that our parochial churches were, at firſt, rectories, poſſeſſed of tithes, glebe, and offerings; and that vicarages, chapels of eaſe, and donatives, were of ſubſequent derivation from the parent endowments. Out of that great bane of the church, appropriation¹ (by which is meant the aſſigning of rectories to religious houſes and monaſteries), ſprung vicarages; which began to be ordained in the thirteenth

Sir H. Spelman's
*Larger Work of
Tythes*, c. xxix.
p. 137.

(¹) "In old times, whilſt theſe churches were in the clergy-hand, they were called *appropriations*, becauſe they were *appropriate* to a particular ſucceſſion of church-men: now they are called *impropriations*, for they are *improperly* in the hands of lay-men." For the hiſtory of appropriation, ſee Ayliffe's *Parergon Juris Canonici Anglicani*, p. 86; and Gibſon's *Codes I. E. A.* Vol. i. Tit. xxx. c. xiii. p. 716, note;—and pp. 720—21.

century, in order to make some amends—the best that could be devised by well-disposed bishops¹, under the circumstances, for the injury done to the church in the alienation of her property—by a partial disappropriation of the same, in the language of Prynne—by reclaiming a portion of it to its pristine use, and therewith localizing and maintaining a parochial clergy.

In making these ordinations of vicarages, the chapters of the dean rural were highly useful to the diocesans, from the local knowledge of the members of which they were composed. The method pursued in allotting vicars their portions was this:—An *inquisition*² was made in the chapters of the rural deans, into the value of the rectories, and the competent portions to be assigned to the vicarages; regard being always had, in proportioning the latter to the nature and size of the cure. A return was then delivered to the bishop; who either

Life of Bishop Grosseteste, p. 330. App. VII. Sir Henry Chauncy, p. 37.

(¹) To instance only two of the very best governors of the church before the Reformation, Archbishop Peckham and Bishop Grosseteste.—The former (consecrated archbishop of Canterbury A.D. MCCLXXVIII.) made it one of the labours of his life to reduce this shameful abuse of appropriations: nor had the latter (consecrated bishop of Lincoln A.D. MCCXXV.) less abhorrence of this fraudulent corruption. He looked on all appropriations as so many stratagems to rob God of his honour, the priest of his maintenance, and the people of their very souls; and therefore he laboured, as far as possible, to reform this evil, and to restore all tithes to the parochial clergy.

Kennett's Case of Impropriations, pp. 67 seqq.

(²) "*Anno MCCXX. mense Octobri, per Hugonem secundum Lincolnie episcopum, ordinatæ et taxatæ sunt vicariæ in ecclesiis, quas canonici de Dunstaple habent in usus proprios; præhabita in capitulis, in quibus consistunt, diligenti inquisitione de æstimatione tam ecclesiarum quam vicariarum; et in quibus competentiùs vicariæ consistere possent.*" To which are annexed the entries in the episcopal *scrinia*, of the several vicarages.

Chronicon sive Annales Prioratus de Dunstaple, p. 95.

approved and confirmed the acts of the rural chapters, or made such alterations therein as he thought necessary; after which, the allotment was entered in the bishop's register;—he, in effect, having the whole management of the business in his own hands, and only delegating such branches of it to the inferior courts—Christian of the deanries as he deemed them best qualified to execute¹.

The accuracy with which the rural deans, aided by their capitula, performed the difficult labours of appreciation in these cases of appropriate benefices, induced the papal see to extend their services to the valuation of

Collectanea Topographica, &c.
Part II. p. 165.

(¹) The expences incurred on these occasions, as far as the dean and chapter were concerned, are given in a very interesting document, published by the Rev. J. Hunter, on the *Ecclesiastical History of Dewsbury*, in the archbishopric of York:—

“The expences of the dean of Pontefract and the vicar of the same, and of twelve rectors and vicars belonging to the said deanery, being at Dewsbury on the Friday next after the feast of St. Catherine the virgin, for the purpose of valuing and examining each portion to the said church belonging, and remaining there for a day and a night . . . £.0. 7s. 3d.

“To the dean and his clerk, for their labour on the said day, £.0. 3s. 0d.”

Other items of expenditure follow; and among the rest, an allowance to the dean of Doncaster and others “for taking an *inquisition* and certifying the archbishop, on the Monday next after the feast of St. Barnabas the Apostle, for one day and one night . . . £.0. 17s. 7d.

P. 166.

“For the expences &c. &c. and the making a vicarage, £.1. 2s. 5d.

“The whole business,” writes the learned antiquary, “was conducted with great deliberation and care, under the eye of the dean of that deanery in which Dewsbury was situated, who summoned for the purpose a jury of clerks; and again (for what reason another dean was chosen does not appear), under the eye of the dean of Doncaster, the next adjacent deanery, who summons a jury of parishioners: the deans, in both instances, being assisted by the vicars of the towns from whence the deaneries had their denominations.”

all ecclesiastical endowments ; and accordingly, to these functionaries, and the members of their little courts, we trace the compilation of *Valores Beneficiorum*, and the levying of the *taxes* themselves in accordance therewith, whenever it pleased his Holiness of Rome to mulct the pockets of the clergy of these realms.

By a *Valor Beneficiorum* is meant, in the words of Dr. Pegge, "*A Book of Rates, to be a public written rule or standard, by which the several incumbents, whether religious or secular, were to make their payments, from time to time, of first-fruits and tenths, and all other subsidies whatsoever.*" No such appreciation of ecclesiastical property, under a general *papal* edict, appears to have taken place here before the middle of the thirteenth century. At an earlier date, it is true, the clergy granted the crown *subsidies* in various proportions : but this they did *by assessing themselves*, without the intervention of an oath ;—the bishops appointing collectors for their respective dioceses, and these again issuing their mandates to the rural *deans*, who settled the sums to be paid by the several incumbents, in their chapters¹, by *common estimation*, or the *reputed* value of the benefices.

Pegge, *ut supra*, p. 334. Thorne *Chron. in Script.* x. col. 2160.

When Hugh de Welles, bishop of Lincoln, erected five vicarages in the churches belonging to the priory of Dunstaple (*A.D.* MCCXX.), he investigated the values of the rectories by means of a *decanal inquisition*, prosecuted with unusual strictness. But we look in vain for a proper *Valor*, says the prebendary of Louth before

Annales de Dunstaple, p. 95.

(¹) "*Anno MCCXVII. dedimus vicissimam reddituum nostrorum secundum communem estimationem bonorum nostrorum ad succursum terræ sanctæ, semel de tribus annis, &c.*"

Annales de Dunstaple, &c. p. 85.

quoted, "till force and compulsion commenced, and the Pope began to raise money on the subject: which was not till after the kingdom was absolutely enslaved by him, and the grand engines of interdicts and excommunications could obtain their full force."

Then it was that the wary and avaricious bishop of Rome availed himself of the instrumentality of *decanal capitula* and their responsible *presidents*, for obtaining an accurate *Valor* of church property, in order that he might make it tributary, as occasion might offer and his necessities require, to the papal treasury.

The method of composing the *Valor* of the year MCCLIV. (when Innocent gave the first-fruits and tenths of all ecclesiastical benefices to Henry III. for three years,) was this:—"The Pope," says the biographer of Bishop Grosseteste, "first of all appointed a principal *collector*, called also *executor*, who administered an oath to the rural *deans* and the rectors or vicars of the most consequence in the *chapters* of every *deanry* in the respective dioceses, to make a true return. These, therefore, were the persons that in fact made the *Valors*, and had a power of tendering an oath to the parties they were to examine and inquire of, and, in case of contumacy, of interdicting or excommunicating them. The return of the *dean* and his *associates* was to be made in writing, under their seals, at a certain time and place. The religious houses were to be rated along with the secular benefices; and though, in the present case, the favourite orders of the Cistercians, the Hospitallers, and Templars, were to be exempted, (the two latter, I presume, on account of the personal service to be performed by them in the Holy Land, this subsidy being intended

Pegge's *Life of Grosseteste*,
p. 340. *Append.*
No. VIII.
Annal. Burton.
p. 334.

for the Crusade), yet the Valor was to include them, to be ready, we will suppose, on future occasions. If the religious house was situated in the Deanry, then the effects thereof were to be taxed by the religious themselves, upon oath; namely, such of their effects as did not consist in appropriate churches or separate tithes, for these would fall under the cognizance of the rural Dean and his partners; but, if the foundation was in another Deanry, then these assessors were to rate what effects lay in their Deanry. If a benefice was farmed, it might be entered for payment, according to the rent. The jurates, lastly, were to proceed, under pain of excommunication; and the reward they were to have for their trouble, was, to be made partakers of the indulgence granted to those who went on the expedition to the Holy Land, or at least contributed to it¹.

Annal. Burton.
pp. 335, 336.

*See Appendix,
Warrant for
compiling a Va-
lor Beneficiorum,
Lincoln Docu-
ments.*

(¹) See, under *Personal Functions*, Part IV. Sect. XII. *sub fine*, some notices of Deans rural in connexion with the *Valor Ecclesiasticus*, Henry VIII.—and, in the Appendix, a *Precept* to the Dean of Hecham in Norfolk, from the Commissioners appointed to execute that measure.

CHAPTER XI.

EXAMINATION OF SCHOLARS EDUCATED IN PAROCHIAL SEMINARIES.



TOGETHER different from any *inquisitional* duty hitherto touched upon, was that which devolved on the rural *capitula* of Normandy, in the sixteenth century. It is comprised in the section of the provincial council of Rouen (*A.D.* MDLXXXI.), entitled, “*De scholarum et seminariorum fundatione et regimine;*” and has reference to the education of the parochial youth in the established seminaries of the country. The object of the council appears to be, that a suitable number of the most eligible of the young aspirants for holy orders should be chosen out of the parochial schools of each *deanry* of the province, and advanced in the higher branches of scholastic instruction, suited to their future destination of life; the rural schools being the nurseries of those who were afterwards to fill the clerical office.

With this view, it is enjoined, that the *deans* rural, and their curates, or vicars, shall constitute, at the suggestion of the diocesan, local *courts of examination*, at which the bishop, or his canons, shall be co-assessors to inquire into and scrutinize the physical, moral, and intellectual condition of all the parochial youth, who are the subjects of public instruction within each *deanry*, and desirous of entering into holy orders. All such, from the age of twelve to twenty years, the parochial clergy are

*C.C. Rotomag.
Prov. P. I.
pp. 235--37.*

to bring with them for examination to the periodical kalendæ. But the council will best explain its own meaning. The fourth canon enacts :—

“ *Ad faciendum delectum eorum, episcopus ante kalendas cuiusque decanatus significabit per decanum ruralem omnibus curatis, sive vicariis ejusdem decanatus, ut die kalendarum secum adducant ad locum assignatum omnes sue parœciæ juvenes à duodecimo anno ætatis usque ad vigesimum, qui scholas literarum frequentârint, et in ecclesiâ cantare assueverint, atque presbyteratus desiderio teneantur. Ad diem dictum et locum ipsemet proficiſcetur, aut mittet canonicos suos in hoc opere coadjutores, qui inspectis juvenibus interrogabunt de legitimo parentum matrimonio, fide, vitæ honestate, et conditione : deindè contemplabuntur juvenum vultum, pronuntiationem, ac totius corporis habitum : quodnam præbeant ingenii ac virtutis specimen, atque ad presbyteratum aptitudinem, et quem progressum in literarum studio fecerint. De quibus spem meliorem conceperint, eorum nomina, parœcias, genus, ætatem, et facultates diligenter describent, cum annotatione inopum, mediocrium, et ditiorum. Quamvis autem plures in uno decanatu inventi fuerint idonei, non tamèn poterunt in seminario simul recipi plures quàm requirat facta dispositio. Verbi gratiâ, si seminarii proventus nequeat sustentare plures quàm viginti, et sint in diœcesi decem decanatus, non licet de uno decanatu plures quàm duos simul admittere, nisi pro uno paupere placuerit duos mediocres, vel tres substituere. Quod si contrâ in uno decanatu nulli exstiterint satis apti, ex viciniore decanatu conveniet alterius defectum supplere. Nec mirum videatur, quod de singulis decanatibus seligi optamus ; cùm seminaria non ad unius civitatis, sed ad totius diœcesis utilitatem et ministerium constituentur.*”

The *deans rural* of the province of Rouen, in general, had much to do with parochial education. They were ordered to watch over, inspect, and examine, by *personal visitation*, all the *schools* and *seminaries* of their *deanries*—as we have noticed, in earlier pages, under the head of *visitatorial functions*. In the diocese of Bois-le-duc, it devolved on the *archpriests* of the country, with their assembled *chapters*, to select competent instructors for the initiation of novices in the rites and ceremonies of the Romish church; and in that of Cologne, it behoved the same functionaries to point out befitting persons to the bishop, or his vicar-general, for approval and appointment to the same trust. Indeed the notices are frequent in the *Concilia Germaniæ*, of *deans rural* having to do with parochial education—in the examination, registration, and licensing of masters, as well as the inspection and regulation of the schools themselves, and their inmates.

*Stat. Synodi
Bajocensis,
Tit. XI. cap. III.
p. 64. A.D.
MDCLII.*

*Decret. Synodal.
D. M. H. Arch.
Colon. p. 19.
A.D. MDCLXII.*



SECTION III.

CONCLUDING REMARKS ON *Rural Chapters*—THEIR DECAY AND
DISSOLUTION, MORE PARTICULARLY IN ENGLAND.

WITH regard to some of the more grave matters of ecclesiastical cognifance, which I have appropriated, on the authority of Kennett, Brewfter, and others, to rural capitula, as *curiæ Christianitatis*, it is but fair to inform the reader, that Gibfon, ὁ πᾶν, will ' not allow "*inquisitions de jure patronatus, trial of caufes by delegation*, and the like, to be *branches* of Dean rurals' office; inasmuch as upon these they seem only to have been *occasionally* employed by their ecclesiastical superiors." "And therefore," remarks the author of the *Codex I. E. A.* with reference to Kennett's statement, "the saying that they were *sometimes* employed in such matters, would have been less apt to mislead the reader, than the representing such duties, wherein they were but *occasionally* employed, as *powers of right* belonging to the office."

Codex I. E. A.
Vol. II. p. 972.
Tit. XLII. c. VIII.

Kennett's *Parochial Antiquities*, Vol. II.
p. 352.

Again—it must be confessed, that the canon-law affords no evidence in support of the averment of the Parochial

(1) Gibfon places under the same view *inductions* and *custody of vacant benefices*, spoken of in the division of our work devoted to *personal duties*:—both these the bishop of London makes *occasional* employments of Deans rural, but will not allow that they were *rightfully* entitled to any jurisdiction therein.

Johnson's *Ec-
clesi. Laws, &c.*
Vol. I. *Addenda*,
A.D. MLXIV.

Antiquary, that the archdeacons *deprived* the Deans rural of the *probate of wills*, and Archbishop Langton of the cognifance of *matrimonial causes*. There is nothing to lead to fuch an inference;—for before there could have been a fpoliation of right, there muft have been a legal and canonical commiffion of fuch cafes, *in general*, to their jurifdiction; and this does not appear to have been the cafe. On the contrary, it is more than probable, that rural Deans, in exercifing thefe acts *at all*, except by fpecial delegation (in fome places growing into custom), had themfelves¹ overfteped the limits of their office—“*falcem fuam in alienam meffem mittentes*,” in the words of a canon of Laval (A.D. MCCXLI.)—and had become ufurpers of other men's privileges, and, as fuch, called forth the many canons, with which the councils of the thirteenth and fourteenth centuries abound, for coercing them within the acknowledged bounds of their calling.

Warm, however, in fupport of Deanal prerogatives, and a zealous advocate of the *judicial* character of rural

*Papal Ufurpa-
tions*, Tom. III.
B. v. c. I. ann.
39 Hen. III.
p. 111.

(¹) It is evident, from Mr. Prynne's numerous extracts from “*the White Tower*” records, prohibitory of courts-~~Christian~~ encroaching upon the rights and prerogatives of the crown, that Deans rural did intermeddle with matters temporal beyond their lawful jurifdiction. The following writ of *attachement and procefs* iffued (Hen. III.) to the fheriff of Lincoln, for inftance, fhews that ufurpation, and, at the fame time, the extent of the power of the Dean's court:—“*Quare fecuti funt placitum in curiâ Christianitatis (de catallis et debitis quæ non funt de teftamento et matrimonio) et Detanus de Stamford tenuit idem placitum in eâdem curiâ contra prohibitionem noſtram, et in deceptionem curiæ noſtræ fecerunt prædictum (Alexand. de Deping) eâdem excommunicari, capi et imprifonari, et priſonâ noſtrâ Linc. detineri, quouſque deliberatum fuiſſet per præceptum noſtrum.*”

capitula, Dr. Kennett endeavours to throw all the odium of these restrictions on the deans' successors in the courts of Christianity. "The rural deans," says he (in repelling Lyndwood's charge against them of ignorance and want of learning), "were, for the most part, plain and honest divines, not much skilled in the subtleties of the civil or the canon-law; but were not the less capable of such office and jurisdiction as depended on known custom and the rules of equity. But by degrees, when the methods of ecclesiastical justice were corrupted into a greater art and mystery, then began the canonists to pretend themselves the only fit ministers in all courts of Christianity; and under this character insinuated themselves into the favour and council of the bishops, and so obtained the new titles of archdeacons, officials, and chancellors; and then run down the rural deans for men of ignorance and incapacity, that they might the more easily invade all the powers and profits of their office¹." "The archdeacons, by the advantage of a personal attendance on the bishop, were by him entrusted to examine and report some causes, and by degrees were commissioned to visit the remoter parts of the diocese, and so to exercise some other judicial power; till, under the bishop's favour and protection, they encroached upon the rights and jurisdiction of the deans, getting first an

Paroch. Antiq.
Vol. II. p. 350.

Ejusd. p. 345.

(¹) "*Ordinatum fuit in capitulo Ebor. per d'num archiepisc. (Willielmum Weikwane) et capitulum quod ad exonerationem decanorum et sacerdotum parochialium ordinarentur communes servientes in singulis consistoriis cur. Ebor. die consistorii archidiaconi pro executionibus faciendis ac mandatis nostris recipiendis, ac de eisdem ut convenit certiorandis se presentent, &c.*"

Ex Registro Will. Wickwane Ebor. fol. 34.
DR. Addenda,
Parochial Antiquities, Vol. II. p. 350.

ascendant, and at last, by prescription¹, a superiority of office."

Still, whatever *contentious* jurisdiction rural archpriests may have, at any time or place, enjoyed, I have no doubt it arose *primarily* from repeated episcopal delegations; the delegates availing themselves of temporary commissions to enlarge their permanent powers, and, by degrees, even to prescribe against their superiors. Sometimes too, by *prestations*, they advanced their *contentious* capacity—purchasing of the bishops a privilege of interference in causes of the higher grade. Thomassin grants the vastness of their *judicial* power:—"Patefacta jam satis ex his est vasta illa archipresbyterorum quondam jurisdictionio contentiosa: nec latere jam possunt causæ justissimæ, quæ ad eam cohibendam intra arctiorem gyrum episcopos adduxerunt. Aut verum, aut finitimum vero est, amplissimam hanc illis primùm aliquandiu ab episcopis delegatam fuisse potestatem: temporis diuturnitate et consuetudine eam delegationem ita roboratam fuisse, ut in jus commune et ordinarium convalesceret, et ex arbitrario vicariatu officium certum et perpetuum crearetur: donèc gliscente corruptelâ fieret, ut illa potestatis amplificatio penè justius etiam quàm concessa fuerat, revocaretur." The same celebrated canonist also acknowledges the entire loss of this *judicial* faculty by rural deans in modern days, and its resumption by the bishops:—"Archipresbyteri et decani

Thomassin. *V. et N. E. D.* Tom. I. P. I. L. II. c. VI. p. 230. VII.

Ibidem. VIII. sub fine.

De Officio Archipresbyteri. Tit. XIV. Instit. Juris Canon. Lib. I.

(¹) The *Glossa* of Lancelot gives the reason of the archdeacon ranking above the archpresbyter:—"Archidiaconus licet inferior sit in ordine, in dignitate tamen, et administratione est major, propter curam fori contentiosi quam exercet, cum archipresbyter solum exerceat curam fori pœnitentialis."

rurales suâ omni jurisdictione excussi sunt, nec aliud jam in potestate habeant, quam ut extra figuram judicii corripiant delinquentes; et ad episcopi judicium omnia referant."

But touching' the decline, more particularly in England, of the archpriest's rural capitula; which, with their presidents, by degrees gave place to the superior jurisdiction of archdeacons and their officials, "who pretended to have all the law, and resolved to have all the profit, in ecclesiastical causes." The first invasion of the chapters' rights, and indeed their death-blow, was the introduction of superior functionaries to sit in them, by the twentieth *Constitution* of Cardinal Otho (A.D. MCCXXXVII.)

Parochial Antiquities, Vol. II. p. 353.

A Humble Proposal for Parochial Reformation, &c. c. I. p. 14.

De Archidiaconis:—"Sint autem solliciti (scil. archidiaconi) frequenter interesse capitulis per singulos decanatus, in quibus diligenter instruant inter alia sacerdotes, ut bene sciant, et sanè intelligant verba canonis et baptismatis, quæ scilicet sunt de substantiâ sacramenti."

CC. M. B. et H. Vol. I. p. 654.

This archidiaconal intrusion at once altered the primitive constitution of rural chapters, and subsequently, by degrees, dissolved them. For though the archdeacons were not very forward to pay the sort of attendance contemplated by the cardinal's text of "*frequenter interesse*"—"quod requirit sollicitudinem et diligentiam," in the words of the glossator, and means "*quoties opus erit, juxta arbitrium boni viri*,") and therefore thought themselves sufficiently absolved by appearance at them twice a year,—very rarely observing the constitution, as John

Const. D. Othon. De Archidiaconia, p. 54. gl. in v. *frequenter*.

(1) "As society became more complicated, and the hierarchy more ambitious," says Mr. Southey, in general terms, "these ancient and most useful courts were discountenanced, and finally disused."

Book of the Church, c. VI. p. 85.

g^l in v. eodem.

Kennett's *Parochial Antiquities*, Vol. II. p. 354.

Const. D. Othon. p. 54.

Codes I. E. A. Vol. II. p. 973.

de Athon confesses, because they got no fee for attendance, "*quid lucrum pecuniarium eis inde non applicatur*;"—yet their presence gave them such a presiding place and authority, that they utterly eclipsed the rural deans, and discouraged them from the customary convening of chapters, wherein they had sat once as judges, but now as ciphers. And, as a further grievance, when the archdeacons could not personally preside in these chapters, they sent their officials to represent them, who claimed the same preference above the rural deans: so that the latter by degrees absented themselves altogether from courts, in which they felt their personal degradation; and left them to the sole management of those who had thus usurped a precedence in them: inasmuch, that in Edward the First's reign, John de Athon adds, in his gloss upon "*Capitulis ruralibus*,"—. . . "*quæ hodiè tenentur per officiales archidiaconorum, et quandoque per decanos rurales*;" that is, by the officials, as Gibson understands the gloss, in the absence of the archdeacon¹; and by the rural dean, only in the absence of both.

"By such means," remarks Kennett, "these ancient chapters became obsolete and abrogated;—while, so far

Collier's *Eccles. Hist. of Great Britain*, Vol. II. Records, p. 86. No. LXXII.

(¹) In the *Articles concerning Archdeacons, their Officials, and Ministers*, ann. MDLIV. (ex Regist. Bonner, fol. 367), it is an item of inquiry—"Whether the archdeacons be frequent and oft in the assemblies or chapters observed and kept in several and particular deanaries rural? and whether that in the same they do diligently instruct and teach the priests and curates, especially, amongst other things, to live virtuously, honestly, and well; and to understand and know perfectly the words of the canon of the mass, and the form and order of sacraments, especially of baptism, and chiefly in those words and things which are of the substance of the sacrament in any wise?"

as they were courts of Christianity, they resolved themselves into one standing ecclesiastical court in every archdeaconry: and so far as they were conventions of the parochial clergy, they passed into solemn visitations, in which the clergy of every deanry should assemble once or twice a year; but rather cited as¹ delinquents, than admitted as judges and co-assessors; an honour and privilege, which remained no longer than they were an ecclesiastical corporation of rural dean and chapter." See also *A Humble Proposal for Parochial Reformation*, c. vii. p. 34.; and Southey's *Book of the Church*, Vol. i. p. 85. chap. vi.

From the *Injunctions* of Cardinal Pole to the diocese of Gloucester, Mr. Whitaker infers the *monthly* and *quarterly* chapters of the deanries to have continued in England till the reign of Edward VI. They were unwarily laid aside, he says, in the succeeding reign of Elizabeth. And the dissenters at the Hampton Court Conference in MDCIII., among some idle overtures of reformation, sensibly proposed the revival of the ancient chapters. But the episcopal, archidiaconal, and deanal synods were then sunk for ever, being all overturned by a law enacted in the twenty-fifth of Henry the Eighth, and revived in the first of Elizabeth.

Whitaker's *Hist.*
of *Manchester*,
Vol. II. B. II.
c. IX. § III. p. 387.
CC. M. B. et H.
Vol. IV. p. 374.

1 Eliz. c. i.

About the same time, the *contentious* jurisdiction of the rural court-Christian of the dean and his co-assessors having generally decayed on the continent of Europe,

(¹) Archidiaconal visitations, it is true, are now-a-days synodal; but the learned antiquary is carried *too far* in his admiration of by-gone, and reprobation of present usages, when he employs the strong language of the text. His prejudice against *archdeacons* seems equal to that of John de Athon and Lyndwood against rural deans.

V. et N. E. D.
Tom. II. P. II.
L. III. c. LXXVI.
p. 795. vi.

as just now remarked, the court itself seems to have almost sunk, and more particularly in France. Speaking of the latter part of the sixteenth century, Thomassin adverts to the fact:—" *Sua his capitulis magnâ ex parte autoritas obtrita fuerat, adeoque et utilitas. Tota enim dilapsa erat jurisdictio.*"

CC. Germania,
Vol. x. p. 417.

But there were exceptions to this declension. The chapter-meetings continued, in many dioceses of Germany and the Netherlands, to enjoy their *voluntary* jurisdiction during the sixteenth, seventeenth, and even the eighteenth centuries. See the Appendix of Continental Documents, principally extracted from the latter volumes of the *Concilia Germaniæ*. During the last century, we have several notices of rural-decanal conventions in Germany, Prussia, and the Netherlands. In the diocese of Triers (A.D. MDCCXX.) they were annually held; and no pastor was allowed to be absent from chapter, under the penalty of a golden florin. By the bishop of Worms (A.D. MDCCXXVI.), it was matter of regret that archiepiscopal convocations "*in defuetudinem venerant;*" and they were ordered to be forthwith restored to their pristine vigour and capacity in his diocese. The synod of Culm enforces their observance at least twice a year (A.D. MDCCXLV.); and the synod of Ypres brings down their annual celebration ("*ad minus semel quotannis*") to as late a date as the year MDCCCLXVIII.

Ejusdem, p. 433.

Ejusdem, p. 522.

SECTION IV.

SUGGESTIONS FOR THE RE-ORGANIZATION OF ~~Rural~~ *Rural* ~~Diocesan~~ *Diocesan* Associations.

AT a period when it is most desirable to strengthen the church by all practicable means of union and co-operation, the question naturally suggests itself—Would any benefit be likely to ensue from the restoration of such rural chapters as we have been describing, or from the institution of other like periodical local conventions? Would clerical confederations, formed upon one common principle, and actuated by one common object, be advantageously renewed, at the present time, in the rural cantonments of our ecclesiastical jurisdictions?

The writer sincerely believes, that, under God's blessing, the church would add to her inward strength, and to her outward influence on the minds and manners of the public, by the renewal, in some form or other, of local associations of the clergy. If such meetings were revived upon the same footing, or nearly so, as that on which they once existed in the different deantries of Great Britain and Ireland—not so often as *monthly*, perhaps, but at least quarterly—much benefit would accrue, in the writer's opinion, to the general and local interests of the established church.

To the question—How far or to what extent would you restore to these clerical *synods*, under the presidency of their respective *deans*, the jurisdiction of the ancient

chapter-courts of the country?—I reply, that their entire *voluntary* jurisdiction might be advantageously restored—making allowance only for the difference of the times. But I would not go beyond this point. Endless jarrings would arise, and discipline would be rather marred than promoted, by re-convening such capitula under the character and with the capacities of judicial courts of Christianity. No attempt, therefore, should be made to restore their *contentious* jurisdiction. But the restoration of their *voluntary* jurisdiction seems open to no reasonable objection.

The ecclesiastical councils of Great Britain, Ireland, France, and Germany, afford ample testimony to the important bearing of local clerical societies (acting upon one uniform system, in close and responsible connexion with the episcopal see) on the interests of the church and its members, both lay and clerical. Nor are they our only witnesses. With equal confidence we might refer, for a practical acknowledgment of their utility, to the councils of Charles Borromeo, the sainted disciplinarian of Milan; in whose diocese they obtained in full vigour and influence, through the latter part of the sixteenth century; and to numerous German and Belgian synods, enrolled in our Appendix. These conciliar vouchers extend, collectively, over a period approaching to a thousand years. But it is unnecessary to have recourse to foreign authorities.

Our national church—the united church of England and Ireland—needs no other voucher than her own councils, and her own experience. She need not search, amidst continental archives, either for examples of the institution and economy of rural chapters, or for proofs

of their influence on the well-being of the church. In no part of the Christian world have they been more general, in none more efficient, than in our insular deantries. So much so, that the bishop of Saint David's says of them, with a special reference to our national polity—"Capitula ruralia nituntur magis consuetudini patriæ quàm jure communi:"—and it had been well for the church of England and Ireland—the church of Christianity—if "the custom of the country" had kept them up among us till the present time! It would be well, if they were again organized and convened in every deanry of every diocese of the land! They were, indeed, in the words of Atterbury (one of the warmest advocates of their restoration), "a most excellent and wise institution, fitted to keep up order and uniformity, and to cultivate a good correspondence among the neighbouring clergy; to arm them against common dangers and difficulties; and enable them every way to promote the interest of religion and virtue, and the good of souls committed to their charge."

Lindwood's Provinciale, lib. 1. Tit. 11. p. 14. in voce.

Archdeacon Atterbury's Charge at Totness, MDCCVIII.

There¹ is no law against the re-organization of rural

(¹) There is much truth in the following somewhat quaint exhortation of a nameless advocate "for the restoration of rural deans and chapters according to the ancient way of the church."

"The restoration of this good old way carries no great difficulty with it; we need no new laws to establish it, being the known methods of our church, as well as of our neighbour nation:—never forbidden by any power, lawful or unlawful, but barely grown obsolete by neglect. The authority of the constitutions are not repealed. Neither the church nor state ever saw cause to remove them. 'Tis plain one cause of their sinking was Otho's bringing archdeacons to sit with them. The want of some small allowance to uphold them might help. A quarter of what

A Humble Proposal for Parochial Reformation, &c. by J. M. Presbyter of the Church of England, chap. vi. p. 29.

is

decanal associations. They have *never* been proscribed—*never* put down by the Legislature. They have simply fallen into disuse and decay, without other assignable cause than mere negligence. They have become obsolete and antiquated, to the great loss and detriment of the church, merely because their subsidiary importance to church-polity has not been duly appreciated by the clergy.

They may, therefore, at any time, with the sanction of the hierarchy, be revived. Nay—any zealous diocesan may restore them; and, with the aid of their machinery, work out his schemes of general or local improvement in the distant departments of his diocese, with as much facility and efficacy as if those departments were under his own personal cognisance. Whenever and wherever he needs a correspondence with the rural clergy, he may avail himself of the instrumentality of

is spent on schism would support them. And as charges of judges recover neglected laws, so may the charges of diocesans recover these."

"The greatest objection against their restoration is, that ill-endowed clergy can't bear the burthen of capitular meetings. But it may be considered, they go but five miles at farthest; and make no payments but personal charges, which lie on them wherever they are. They may retrench other expences, to serve God and his church this way. We see justices of the peace serve their country *gratis*;—why may not the clergy serve the church as freely? 'Tis confessed, justices' estates are far greater, but so is their post also;—why may not the clergy be as free to serve unity and piety, as sectaries to serve schism and faction? 'Tis not impossible to find out some way to help the weaker clergy. Her Majesty, to her eternal honour, hath given a glorious example to the nation. If they can't see it, that have the church's patrimony in their hands, they may be sure the god of this world blinds them. However, if the predecessors of the clergy have stooped to this burthen heretofore, why should it now be thought insupportable?"

rural deans and chapters for making known his wishes and executing his mandates : and from the same source he may derive a perfect knowledge of the state of the parochial clergy and their cures, and of other matters of ecclesiastical interest in the rural deanries.

Existing institutions might, perhaps, be made subservient to the object in view. In some few dioceses of England, *Church-Union Societies* are already formed. Within the writer's knowledge, they exist in the dioceses of Saint David's¹ and Salisbury², having been created

(¹) In the diocese of Saint David's, the Society alluded to as established by Bishop Burgess, was "a literary and religious association for the promotion of Christian knowledge and church union." The original objects of the Society were : 1. The distribution of the Bible, Prayer-book, and Religious Tracts. 2. The institution of Sunday Schools. 3. The establishment of libraries for the use of the parochial clergy : and, 4. The promotion of clerical education. Upon these objects there was afterwards grafted a fifth, in providing for the infirmities and incapacities of aged ministers with small incomes, who, either as incumbents or curates, within the diocese, were unable to perform their duties.

Tracts on the Origin and Independence of the Ancient British Church, by the Bishop of St. David's, pp. 145. seqq.

(²) The great principle of the *Church-Union Society* of the diocese of Salisbury is, to promote that union which, in every Christian and professional view, is so desirable ; and the want of which has been often spoken of as a reproach to the Established Church, and has sometimes been felt by individuals, to their irreparable distress.

Next to this great principle of Christian union, the immediate objects of the Society are, to afford to superannuated curates the means of retiring from duties to which they are no longer equal ; and to enable aged and infirm incumbents, of small incomes, to provide an assistant-curate. Also, to enable such parish-clerks, of good character, as shall, from age or infirmity, become inefficient, to retire from the duties of their office.

Endowed lecturers, as well as incumbents and curates, rendered unequal to their duties by protracted sickness or age, are considered objects of this charity.

and matured in both by the fostering care and sustaining munificence of Bishop Burgefs. A Church-Union Society exists also in the diocese of Oxford¹, and, it may be, elfewhere. But in all they are merely diocesan, not

In all cafes, the relief intended will, in fact, operate for the benefit of the parishes, which are suffering from duties inadequately performed. The aid, therefore, which is proposed to be provided, is an object of vital interest to the laity, as well as the clergy; that is, to ALL who have any feeling for the credit and efficiency of the Christian ministry, and the success of parochial instruction. From the laity, therefore, as well as from the clergy, a Church-Union Society, with such objects, may hope for countenance and support.

The rural deans are Members of the Committee of the Society, and collectors of subscriptions and benefactions.

"If union, zeal, and perseverance, in another diocese with less promising means," (writes the bishop of Salisbury, on first recommending this Society to the clergy of the diocese of Sarum) "have enabled a Church-Union Society to provide both a college for the young, and relief for the superannuated and infirm, we cannot doubt that an appeal to the public for the latter only of these objects will not be made in vain. An annual subscription of ten shillings, which will constitute a member of the Society, need not be a burden or tax to any one. They who *can* contribute it, will not feel the want of it; and they who *cannot*, will not be excluded by non-subscription from the benefits of the relief intended by the Society."

(¹) The Oxford Diocesan Society deserves the best attention of the friends of the Church. The object of this Society is, to augment or improve the condition of small benefices, in such manner as shall facilitate the residence of the officiating ministers amongst their parishioners. The Society is also desirous of aiding those incumbents who may have become incapacitated, through age or infirmity, from continuing to exercise their ministry, and who, possessing one benefice only, may be unable, from the smallness of their income, to obtain the assistance of a licensed curate. The archdeacon and rural deans of the diocese constitute the committee of management.—Should not such a Society be established in every diocese?

deanry associations;—there are no filial institutions in connexion with the maternal establishment.

Now, with all diffidence and humility, the writer ventures to throw out the following suggestions for the extension and improvement of the economy of these societies¹. He would wish to originate them in dioceses where they exist not—to render them better known where they are already established—to augment their funds, and thereby enhance their means of doing good (for all have some holy or charitable object in view—the advancement of Christian knowledge—the distribution of the Bible, Prayer-Book, and Religious Tracts—the augmentation of poor benefices—the supply of cures—the relief of sick and necessitous ministers or their families—the restoration or sustentation of ecclesiastical buildings—and such-like beneficent measures—for any and all of which a well-furnished treasury is required)—and lastly, to make them, in some degree, supply the place of legitimate rural chapters, by keeping up, through their means, a more intimate connexion and correspondence among the rural clergy, with each other and with their district deans; and between the latter and the cathedral clergy, archdeacons, and diocesan—that all may “be perfectly joined together in the same mind” ^{1 Cor. c. i. v. 10.} and in the same judgment.”

(¹) Dr. Napleton would have had a *Church-Union Society* in every diocese, and a metropolitan one to co-operate with them all. The dissenters have long set us an example of union and co-operation, which it would be well for the church to imitate. See Archbishop Usher's proposal, in *Part vi. Sect. III.*, and Short's *Sketch*, Vol. II. p. 156, there quoted in a foot-note; and also Lord Bacon "*Of the Pacification of the Church*," Works, Vol. II. pp. 542, seqq. Edit. MDCCCXIX.

With such objects in view, the writer ventures to put the following crude interrogatory suggestions to those whom they may concern:—

*Reformationis
Formula, &c.
p. 28.*

Would not the machinery of **Church-Union Societies**, wherever they obtain, (and where might they not obtain?) admit of advantageous extension into the minor ecclesiastical divisions of each diocese—so far as to have branch-associations instituted in the different rural deanries, upon the same footing, and in strict¹ conformity with each parent society—“*parvæ quædam et particulares synodi, synodo majori subjectæ, et secundum ejus judicium dirigendæ*”?

Would not such clerical associations, held quarterly, in the several rural deanries, upon the plan of the ancient rural chapters—wherein the rural deans acted as presidents, and the incumbent clergy constituted their capitula (here represented by the associated rectors, vicars, and curates)—be, in an eminent degree, ancillary to the main objects of every diocesan **Church-Union Society**—viz. promoting the great principle of Christian union and ministerial co-operation, and thereby conducive to the local and general interests of the church?

Looking only to their formal construction and constitution, might not such clerical quarter-sessions be made

*A Sermon on the
first Seven
Epochs.
Tracts on the
Ancient British
Church, p. 156.
2d Edit.*

(¹) “The primary object of our annual meetings,” says Bishop Burgess to the clergy of Saint David’s, “is the maintaining of clerical association and union, so conducive to the well-being of our church. But union, in order to produce its legitimate and best fruits, must have *uniformity* for its rule, lest the zeal of local association should, at any time, deviate into proceedings inconsistent with the established usages of our church, and injurious to that consistency of discipline, which is one of the vital principles of an establishment.”

useful vehicles, on the one hand, for transmitting and distributing episcopal and archidiaconal mandates, or expressing, in a less authoritative way, through their accredited presidents, the wishes and sentiments of the bishop and archdeacon, to the rural clergy;—and, on the other hand, for collecting, by a prompt and convenient method, the individual opinions of the country ministry upon any pending matters of interest in church or state?

In the same light, might they not be made yet further productive of good, as the standing machinery of *all*¹ ecclesiastical charities—for making known their necessities, and forwarding their objects throughout the *deaneries*;—each associated minister gathering contributions within the precincts of his own cure; and paying the amount collected, at the quarterly synod, to the rural dean, as the district collector, and the latter again to the diocesan treasurer?—And might not a sermon be preached at each quarterly meeting of the *deanery-association*, by the members of the rural chapter in rotation, and a collection be made at the church-door, in furtherance of the eleemosynary or other objects of the institution?

Might not the rural *deans*², in their ancient capacity

(¹) It is unnecessary to remind the reader how greatly the funds of the two admirable Metropolitan Societies—for Promoting Christian Knowledge, and Propagating the Gospel in Foreign Parts—have been increased since the establishment of diocesan, archidiaconal, and *deanery* branches. Why should not our ecclesiastical divisions be made subsidiary to *all* ecclesiastical charities, and union and beneficence go hand in hand?

(²) The rural *deans* were heretofore wont to meet the bishop and cathedral dignitaries at an annual, or more frequent synod, in the episcopal city, and to advise with them on the ecclesiastical condition of the diocese

of representatives of the country clergy, and as delegates of the branch-associations, meet the bishop, archdeacons, and cathedral clergy, at a diocesan conference, once a year (the annual meeting, *that is*, of the Church-Union Society); and, after attending divine service and a sermon in the cathedral (at which a collection should be made, as at the rural-decanal meetings, for the purposes of the society), deliver in their reports of the branch-associations; of the state of the churches and other ecclesiastical buildings; and of the discipline generally of their several deantries; and advise with the bishop and other dignitaries on such measures as the common interests of the church, and the special concerns of the association, diocesan and decanal, might require and suggest¹?

diocese at large, and of the rural cantonments of it in particular. See *Synodical Duties*, Part IV. Sect. III. pp. 211, 215.

Reformatio LL. Ecclef. CC. 78, seqq. pp. 103, seqq.

Under the division, "*Of the Church and its Ministers and their Offices*," there are some valuable hints by our ecclesiastical-law-reformers for establishing diocesan conferences or synods, well worthy of notice. The passage is referred to at p. 227.

Brown's Fasciculus Rerum, p. 428.

Cardinal Campegio, who was bishop of Salisbury in the reign of Henry the Eighth, published a constitution for the reformation of ecclesiastical abuses in the German churches, as legate *de latere* from Pope Clement VII.; and therein proposed—" *Ut singulo anno saltem synodus diocesana opportuno tempore à singulis episcopis celebretur, cum potioribus praelatis, decanis ruralibus, virisque dignis*," &c. But, though the cardinal occupied the see of Sarum eleven years, being "almost continually absent," as A. Wood says, it does not appear that he renovated the decayed office of dean rural in our diocese, or attempted any such laudable revival of diocesan synods.

Ca'Tan's Lives, p. 284.

(¹) See some sensible remarks on the economy of our existing institutions, as affording facilities for working out schemes of church-union and discipline, in Mr. Short's *Sketch of the History of the Church of England*, Vol. II. pp. 156--7, *note*. The passage will be hereafter quoted;

in

The above suggestions are not impertinent to the conclusion of this section;—but I shall have occasion to take up the subject of the revival of deans rural again, in the conclusion of *Part VI.* The reader will bestow on them what little notice he thinks they merit; and proceed with me to the closing division of my labours—devoted to the last three centuries of the history of the office of dean rural.

in *Part VI. Sect. III.* See also *Instructions for the government of the diocese of Brixen by means of rural deans and chapters—Appendix, Part I. Germany, Sect. III.*

Horae Decanicae Rurales.

PART VI.

The Decline and Revival of the Office.

SECTION I.

THE DECLINE OF *Deans Rural*, MORE PARTICULARLY IN ENGLAND.

WE have now gone through the various particulars of the rural archpresbyter's office, as it obtained in the churches of England and Ireland, and the occidental parts of Europe, from the date of its origin to that of its decline ;—and we have only, in conclusion, to throw together, into a readable shape, such remaining notes and extracts, as bear on the last three centuries of its history—the period of its declension and attempted refuscitation.

Upon the subject of its declension, indeed, somewhat has been already said, under the head of the decay and dissolution of rural-decanal chapters, in *Part v. Sect. III.* The courts and their presidents simultaneously declined ;—nay, we may almost say, deceased, as far as relates to our own isles—in which the office, with its appertinent jurisdiction, seems to have fallen into more general disregard than on the continent ¹.

(¹) The Appendix will shew how vigorously the office was kept up in some parts of France, Germany, Prussia, and the Netherlands.

The order of deans rural had been long and gradually declining in authority, when Sir Henry Spelman observed, in his learned *Glossary*—"Ruralium decanorum genus hinc ab episcopo, illinc ab archidiacono, vel exhaustum omnino est, vel pristino splendore denudatum;" and Mr. Somner, in his *History of the Antiquities of Canterbury*—"The choice and ordination of rural deans is not hitherto quite worn out of use among us, but their office² in any of the premises" (*there* briefly described) "is either quite obsolete, or at least much diminished:"—melancholy notices of the waning dignity and attributes of deans rural; to the truth of which, the pages of Coufins, Mocket, Zouch, Godolphin, Inett, Kennett, Atterbury, Nelson, Brett, Blackstone, and many other writers of the sixteenth, seventeenth, and eighteenth centuries, too plainly speak.

Glossari Archaeolog. p. 165. in voce.

Part I. p. 176.

"Doctor Coufins, the civilian, setting downe the deane rural's office," says the author of *Defensive Doubts &c.*, "maketh it consist in little else, than in calling classically assemblies (that is, those who are to assemble within his deanry), and to signify the mind of the ordinary, according to the tenour of letters, received from him; and in the absence of the archdeacon, to induct into benefices—"Plerumque adhibentur ad convocandum suam classem, ad significandum iis nonnihil ab ordinario, ut fit per literas, ad inducendum in beneficia vice archidiaconi remotius agentis."

Ley's Defensive Doubts, &c. p. 50.

(²) The little remains of the dignity and jurisdiction of deans rural depend now on the custom of places, and the pleasure of diocesans. "It is arbitrary to the superior that ordains them, I suppose," writes Mr. Somner, "with decency and order, what charge or business they shall undergo."

Antiquities of Canterbury. Part I. p. 176.

Godolphin's
R.C. p. 54.

Such also are the limited powers ceded to him in the *Politia Ecclesiæ Anglicanæ* of Dr. Mocket (cap. ix. p. 88.), and in the *Descriptio Juris et Judicii Ecclesiastici* of Dr. Zouch (Part. i. Sect. iii. L. ix). Nor is the order of precedency next after canons and prebendaries, awarded to him by the author of the *Repertorium Canonicum* in his *Appendix*, any counterpoise to the earlier confession that his powers at that day (A.D. MDCLXXXVII.) were "nigh extinguished by the office of the archdeacon and the bishop's chancellor, though in some parts of the realm still in force."

*Origines Angli-
canæ*, chap. III.
pp. 65-6.

Whether right or wrong, as to the particular circumstances of our ecclesiastical state, which, in his opinion, gave birth to the office of rural deans (already detailed under that division of the *Œora*), Dr. Inett supports the reasonableness of his view by the date of their decay:—

"Though the name and function are in some parts of England and Wales continued to this day (A.D. MDCCX.)," writes the author of the *Origines*, "yet the shock, which the Reformation gave to the power of the clergy, and the authority of the canon-law, so effectually blasted the offices and authority of deans rural, that from that time they begun to wither, and are now shrunk up into a little compass; and have retained so little of their ancient power, that it is hard to say what they were. So that one cannot help thinking that the authority of our suffragan bishops and rural deans begun, as they ended in England, with the canon-law and the papal power."

*Parochial Anti-
quities*, Vol. II.
p. 366.

"By the art and interest of the canonists (supported by the bishops, who were very often of the same faculty), and by the prescription and power of the archdeacons and their officials, it happened," says Kennett, "that in

the next age before the reformation of the church of England, the jurisdiction of rural deans in this island declined almost to nothing: for the exercise of their office in the reign of Henry V. is by Lyndwood slightly represented, and observed to depend more¹ “*consuetudini patriæ quàm juri communi.*” The reason of which observation was this: among the *Legatine* and all the later *Provincial Constitutions*, in the form of committing any authority to the rural deans, the archdeacons and their officials are joined with them, and commonly put before them; who, being equally empowered, engrossed the execution of the whole trust, and left the deans little else but their empty names²; except, in some few places, where, by continued custom, they preserved their ancient tenure.”

*Provincial. L. 1.
Tit. II. p. 14. gl.
in v. capitulis
ruralibus.*

Such is the bishop of Peterborough's opinion as to the date of the decay of the rural dean's authority in

(¹) The editor of the *Parochial Antiquities* applies this passage of Lyndwood to the rural deans themselves; and not to their chapters, to which, as Atterbury has rightly observed, it *solely* belongs. Atterbury's *Charge, A.D.* MDCCVIII.

(²) “The power of the dean,” says Mr. Whitaker, “remains considerable in many dioceses to the present time; and the present dean of Manchester holds his court of visitation twice a year, and twice a year receives the presentments of the churchwardens in it. And, since the archidiaconal authority has been lost in the episcopal, the dean is become the sole ordinary of the diocese below the bishop; the only faint check on the irregularities of the clergy, and the only support to the interests of expiring discipline.” Whitaker's *Hist. of Manchester*, Vol. II. B. II. § III. p. 387.

“Of deanes rural,” says John Ley, “the doubt is, what is the authority or government of a deane rural.” “In this diocese, the deanes for many yeares past have had a great part of episcopall jurisdiction shared among them; and this by patent for lives or yeares from the bishops, allowing sometimes larger, sometimes lesse authority unto them: some Ley's *Defensive Doubts, Hopes, and Reasons, for Refusal of the Oath imposed by the Sixth Canon of the late Synod*, p. 51.

History of Manchester, Vol. II.
B. II. c. IX. § III.
p. 396.

England. But, supported though it be by the bishop of London in his *Codex*, Mr. Whitaker entirely differs from it, as carrying the decline too far back, and too much curtailing the integrity and duration of the office; "which existed," he says, "nearly, if not absolutely, in all its plenitude of power, to the remarkable æra of the Reformation."—Be it so: still the fact of its decline about the period in question is generally admitted.

Parochial Antiquities, Vol. II.
p. 369.

In some parts of England, the rural deans had nothing left in Bishop Kennett's days, "but the burden of entertaining the rectors and vicars of the deanry at a solemn feast: and this perhaps," says the Parochial Antiquary, "is the only remaining footstep of the ancient rural chapters corrupted into sociable meetings, to the great

some have had power to censure* all offenders, and offences of the laity; the crimes of incest and adultery alone excepted. And some have been limited to the correction of some few faults specified in their patents; and, of late, about (or not much above) three years since, have most of the deanries been compounded together into one patent, or two at the most: and assigned to the archdeacons by your lordship, and by them resigned for execution to the chancellor (as their official) for that jurisdiction."

"Now, if deanries rural be meant in the oath, (and considering what authority and power, both in former times and of late, they have had in this diocese, and, it may be, by the constitutions of the church yet in force ought to have, we know not why they should be left out of the government of the church, nor why they should not be contained under the title of deanries,) how can we, without being overbold with our consciences, take them into such an oath, there being so much diversity and uncertainty of their authority?"

* "*Crimina et excessus quorumcunque laïcorum, criminibus adulterii et incestus tantummodo exceptis.*"—"So in the patent of Mr. P., Mr. E., Mr. L., for the deanries of F."

expençe of the dean, and the no great honour of the clergy."

In his *Speech to the Clergy of the Archdeaconry of Totness* (A.D. MDCCVIII.), Dr. Atterbury describes the office of dean rural as one "which formerly contributed much to support and enliven the discipline of the church; and might be of equal use still, if the powers heretofore annexed to it were duly revived and executed. However, even upon the foot it now stands, especially in this diocese (Exeter), it is of great service, when discharged with a conscientious care and fidelity. And therefore pity it is, that either any disorder should happen in the manner of choosing such officers, or any neglect in exerting those powers, which do still, both by law and custom, belong to them; because each of these hath a manifest tendency towards sinking the office yet lower than it is already sunk, and bringing it at last altogether into disrepute and disuse &c." See also Prideaux's *Directions to Churchwardens*, sub fine.

"Now," writes the author of *The Rights of the Clergy of England* (A.D. MDCCXV.), "there are very few rural deans, and they are almost useless where they are, being chosen by the clergy at their visitations, not to inspect their lives, but to feast them. 'Tis true, in some places, they have a licence from the bishop, and are enjoined by oath to inform against their brethren, if there should be occasion. Though, if there was one in every deanery appointed to visit that district, and to admonish offenders and censure them if they did not amend; and, if that would not do, then to inform their superiors, that they might be punished according to the ecclesiastical laws, the church might, by such discipline, receive a great benefit."

Correspondence
by Nichols,
Vol. II. p. 234.

Nelson's Rights
of the Clergy,
p. 271.

Edm. 2. cap. x.
of *Archpriests*
or Rural Deans,
pp. 189, seqq.

In the close of the tenth chapter of Dr. Brett's *Account of Church-Government and Governours*, the rector of Betteshanger deplotes the general decay of the rural archpriest's office in England at the commencement of the last century. Having given a brief summary of its duties in times past, he notices the rarity of the function in his own days, its limitation and degradation. "Now," says he, "the authority and use of rural deans is almost wholly lost. There are but few dioceses in England which have any, and in those they are but annual, and chosen by the clergy at their visitations; and their business is nothing else but to make an entertainment for their brethren. In some places, the bishop gives them an oath, and a licence or commission to be informers, and nothing more; which renders the office odious and contemptible, I think, to the great prejudice of the church, which by this means loses a very useful, not to say necessary officer, to preserve and maintain its discipline."

*Commentaries on
the Laws of
England*, B. I.
c. II. IV.

"The rural deans," says Blackstone, "are very antient officers of the church, but almost grown out of use; though their *deaneries* still subsist, as an ecclesiastical division of the diocese, or archdeaconry. They seem to have been deputies of the bishop, planted all round his diocese, the better to inspect the conduct of the parochial clergy, to inquire into and report dilapidations, and to examine the candidates for confirmation; and armed, in minuter matters, with an inferior degree of judicial and coercive authority."

Such is the testimony of ecclesiastical antiquaries to the fact of the waning condition of the rural-decanal authority in England, during the sixteenth, seventeenth,

and eighteenth centuries. It has been latterward almost extinct and powerless. It has not, since the Reformation, extended, nor does it now extend, further than to empower the holders of the office to examine and inquire into the defects and abuses, if any exist, in their districts, and to give information thereof to the ordinary; who alone is authorized to proceed against offenders, and to correct abuses, upon the certificate of his deans, in the same way as he could, if he were to receive the like information from any other quarter, on which he could place equal reliance. So that, in fact, the rural deans are, and have been since the period referred to, mere *testes synodales*, or a superior order of *quest-men*¹, to controul the churchwardens, who have become negligent in the discharge of the duties of their office, and likewise to admonish blameworthy persons to correct their defaults, and prevent the occasion of the ordinary's interference.

Ex Epist. Dr. G. Boucher, Armig. olim Registrar. Dioc. Sarum.

(¹) In the diocese of Antwerp, the churchwardens are made subject to the dean of Christianity:—"Ædiles intelligant se in officio suo debere sequi directionem decani et pastoris." *Ordinationes Joannis Malderi*, MDCXXX.

SECTION II.

CONCILIAR DECREES FOR THE REVIVAL OF *Deans Rural*.

ON the continent of Europe, I have said, the declension of the office of *Dean rural* was not so marked and decisive as amongst ourselves. While it was *here* fast perishing away, efforts were *there* made, and with effect, to keep alive and give vigour to its drooping energies. This is apparent, from the dates of numerous canons and regulations cited in the course of our *Collectanea*, and of many documents in our *Appendix*. Though shorn by time of much of its early consequence, it continued to survive; and great were the exertions made by very many churches and councils for its full and perfect restoration¹;—witness those of Cologne *A.D.* MDXXXVI. (*SS. CC. Tom. xix.*), of Augsburg *A.D.* MDXLVIII. (*SS. CC. Tom. xix.*), of Cologne again *A.D.* MDXLIX. (*SS. CC. Tom. xix.*), of Mayence *A.D.* MDXLIX. (*SS. CC. Tom. xix.*), of Treves *A.D.* MDXLIX. (*SS. CC. Tom. xix.*), of Rheims *A.D.* MDLXIV. (*SS. CC. Tom. xx.*), of Malines *A.D.* MDLXX. (*SS. CC. Tom. xxi.*), of Ypres *A.D.* MDLXXVII. (*Stat. Synod. Ypresf.*), of Saint Omer *A.D.* MDLXXXIII. (*Stat. Audomar.*), of Antwerp *A.D.*

(¹) This restoration of *Deans rural* is to be understood of their *spiritual* capacity alone, and to have no reference at all to their *temporal* jurisdiction, which everywhere gradually waned to its final and entire annihilation.

MDCX. (*Stat. Synod. Antwerp.*), of Namur *A.D.* MDCXXXIX. (*Stat. Synod. Namur.*), of Cologne again *A.D.* MDCLXII., and others of later date¹.

The successful and influential labours of the council of Trent, in the sixteenth century, merit special notice. Conscious of the blow that would be given to church-discipline in the country, if local ordinaries and their chapters were allowed to fall into desuetude, the Trentine Fathers re-enacted their establishment by canon, and taught in detail the proper method of carrying on ecclesiastical causes "*coram ordinariis locorum.*" And, as a specimen of the care of other synods, directed to the same laudable object, we may quote the acts of Alexander Canigian, archbishop of Acqui (*A.D.* MDLXXXV.), supplied as they are to us in full by the learned canonist and annotator Cabassutius; who tells us that the vicarial institution was introduced into the diocese of Acqui by that prelate, in imitation of the earlier reformation (presently cited) of the archbishop of Milan:—"Ejus exemplo," says the canonist, . . . "*distribuit archiepiscopus vicariis foraneis certas diocesis regiones, quarum singule octo circiter parochias complectebantur; in quarum medio fixam*

Synod. Trident.
Sess. XXIV. cap.
xx. de Reformat.

A Humble Proposal for Parochial Reformation,
by I. M.
p. 35.

Cabassut. Not.
Eccles. in Conc.
Aquen. 10. pp.
661-8. Edit.
Lugduni, MDCXC.

(¹) See particularly, in the Appendix of *Continental Documents*, extracts from the synodal publications of the following dioceses:—Avranches, Seez, Coutances, Arras, Metz, Besançon, and Verdun, in France;—Augsburg, Basle, Brixen, Cologne, Constance, Eichstätt, Freysingen, Osnaburg, Prague, Ratisbon, Triers, and Worms, in Germany;—Culm, in Prussia;—Sitten, in Switzerland;—Ghent, Bruges, Tournay, Bois-le-duc, Ruremond, and Ypres, in the Netherlands;—and Acqui, in Italy. In some of the German councils we find *Camerarii* and *Jurati* associated with deans rural, as helpmates in support of church-discipline. See *CC. Germaniæ* sparsim.

sedem habentes, singulos ibi degentes parochos, aliosque sacra ministeria obeuntes clericos, semel unaquaque hebdomade congregabat, &c." Thus assembled, he tells us, they opened the convention with prayer; then considered cases of conscience; then heard complaints &c. Touching the bishop's personal functions, he adds:—" *In-vigilabat bitartus foraneus moribus et ministeriis parochorum, et aliorum sibi commissæ regionis sacerdotum. Prætereaque cultui et reparationi ecclesiarum, et ubicunque opus erat ad episcopum referebat. Etiam de ordinandis regionis suæ clericis, an idonei, an capaces, vel aliquo defectu laborantes. Istiusmodi bitartus jurisdictionem nullam habent nisi quam libuerit episcopo ipsis impertiri, suntque amovibiles.*" But it is scarce necessary to quote thus in detail. Other bishops, in other countries, persevered in the same praiseworthy endeavours to support church-discipline by the instrumentality of rural deans and chapters.

A Humble Proposal for Parochial Reformation, by I. M. p. 34.

Conf. Cardinal Campegio, ad Removend. Abusus. Fasc. Rerum. pp. 425-7-8.

The rights of the office were preserved tolerably entire in the Gallican church, and perpetuated by the provincial synod of Rheims, under Charles cardinal of Lorraine (A.D. MDLXXIX.), with an accurate description of its economy and duties. They were also much respected by Cardinal Campegio in Germany, in his spirited reformation of the churches there, at an earlier period of the same century. Indeed, the cardinal of Saint Anastasia (who was also bishop of Salisbury) recommended the regular exercise of their authority, and particularly advised the old way of meeting the bishops in an episcopal synod once a year; which was accordingly established in the council of Trent above referred to, and in many of the churches under its influence.

In the *Constitutiones et Decreta* of the provincial synod of Salzburg (A.D. MDLXIX.), under the archiepiscopal legate of the apostolic see, many chapters are devoted to arch-presbyters or deans rural (*"quorum officia licet ab archipresbyteris nomine videantur discrepare, reverà tamen sunt idem"*); and they are stated to be numerously distributed through the province, each having a special commission from the archbishop or his diocesan—*"in quo peculiaritèr causæ exponuntur, in quibus, et quousque assumptus cognoscere, tractare, corrigere, ordinare, atque determinare habeat, unà cum sufficienti, bonâ et clarâ instructione, ut quomodo in talibus, secundum sanctiones canonicas, se gerere debeat."* Having found, however, the inutility of local synods in which archdeacons or deans rural alone presided, the archbishop ordered his commissaries to be in attendance at them, whenever, under the sanction of the ordinary, such meetings of the *parochi* were held.

Const. et Decret. Provinc. Synod. Salzburg. Const. XLV. c. 1. p. 119.

C. II. p. 120.

C. LXIV. cap. XI. p. 339.

But of all European councils, the most enlightened and energetic in advancing the discipline and influence of the church through the medium of rural superintendants, and making the ministry of these subordinate officers, under the titles of *itinerant vicars* and *prefects of the country*, approach, in their multiplied vocations, the type of primitive utility, were those convened by the reputed saint, Charles Borromeo, archbishop of Milan;—whose object evidently was to make himself acquainted intimately, through their means, with the spiritual condition of his diocese, to watch over it, and provide for its necessities by their representations. And such, undoubtedly, was the aim of the archiepiscopal institution from its first establishment—in perfect keeping with the genuine spirit of church-government. For, as Hooker remarks,

Acta Ecclesiæ Mediolanensis, & SS. CC. Tom. XXI. col. 42, 43.

Church Politie,
B. v. p. 420.

“When the subject wherein one man’s labours of fundrie kinds are imployed, doth waxe so great, that the same men are no longer able to manage it sufficiently as before, the most naturall waye to helpe this is by deviding their charge into flipes, and ordaining of under officers.”

SS. CC. Tom.
xxi. col. 42.
Thomassin. V. et
N. E. D. Tom. i.
P. i. L. ii. c. vi.
p. 228. iii.

In the diocese of Milan, the *bicarii foranei* met in chapter every month, for mutual advancement in personal holiness, and excitement to zeal in their public religious duties;—for consultation on subjects of grave import within their local jurisdictions;—and generally for furthering whatever was conducive to the spiritual interests of the clergy and their flocks. But their tenancy of office was temporary and conditional—revocable at the will of the bishop—a mere delegation; Borromeo deeming such an arrangement most instrumental to the object of the institution—the support of church-discipline in the rural cantons. And a judicious innovation it apparently was, on the earlier regiment of the parochial churches of the Milanese territory;—where, under a perpetuity of office, the archpresbyters of past days had been remiss and inattentive to their charge, and frustrated by their negligence the very object of their commission. The *Acta Ecclesiæ Mediolanensis* are copiously furnished with the archbishop’s instructions to these rural *bicarii* on the duties of their renovated office, and will repay the curious reader for the trouble of reference. Some few have been quoted in earlier pages of the *Work*; and others will be found appropriated by Canigian to the see of Acqui, in the *Appendix*.

Paroch. Antiq.
Vol. ii. p. 367.

Upon the institution of these officers in Italy, at this time, White Kennett observes:—“It was a great argu-

ment for the dignity and necessity of rural deans, that they were then established in a nation where they were before unknown; by a bishop who was the greatest reformer of any in the Roman communion; and at a time when it was more especially proper to project some method to support the declining church." But this inference is founded in an erroneous assumption (as I have already shewn) that spiritual superintendants of the country were then first instituted *there*; which was not the fact. Archpresbyters-rural existed in the diocese of Milan before; and it was only the new casting of their office in a better form, and under a novel name, that originated with this eminently pious disciplinarian.

So great, however, was the improvement upon the constitution of the elder appointment, and so superior the efficacy of the newly-modelled office, that other churches adopted the amended type; and it was left to the judicious choice of the diocesans by the council of Toulouse (*A.D.* MDXC.), whether foraneous bictars should not be made to supply *generally* the want or defect of archpresbyters and archdeacons:—"Vicarii quos foraneos vocant, non minimo episcopis esse consueverunt levamento. Videbunt igitur episcopi, an archidiaconorum et archipresbyterorum aut penuria aut defectus bictariorum ejusmodi operam requirant." See also *Statuts pour le rétablissement de la Police et Discipline Ecclésiastique faits au synode automnal de l'église de Rouen*, MDCXXVIII.

Thomassin. *V. et*
N. E. D. P. I.
L. II. c. VI.
p. 229. IV.

SS. Rotomag.
Provinc. P. II.
pp. 123, seqq.

Such were some of the efforts made by a few continental churches (more might have been adduced if necessary) to quicken with fresh vigour their delegate clerical police, during the period of its decay in England:—of the more modern usages of the continent

with regard to rural archpresbyters, in the same or other dioceses, I am, for the most part, ignorant.

In France, it would seem, the office till lately retained the greater portion of the privileges with which it was invested by the councils and capitularies of that country in earlier days. The following epitome of the rural-decanal constitution is presented to the reader, as exhibiting, from the evidence at least of authentic books, the modern endurance of ancient customs in the economy of the office among our continental neighbours, long after the same have grown obsolete with ourselves. I allude not to those which the wisdom of the Reformation dispensed with in the Romish sacramental ordinances, (in distributing the material of which our rural functionaries were heretofore employed by the bishops,) nor to the blessing of bells, or other such absurd ceremonies, but to the agency of *deans* rural in inducting to benefices, in presiding at menstural conventions of the parochial clergy, and seeing episcopal mandates duly executed and observed.

Les Loix Ecclésiastiques, Part I.
pp. 31, seqq.

From the first Part of M. L. De Hericourt's *Loix Ecclésiastiques de France dans leur ordre naturel*, chap. III. *Des Archidiacres et des Doyens Ruraux*, I select the following paragraphs, with the Advocate's introductory history of the rural-decanal office, as it obtains in France—the canons being amplified somewhat from the *Encyclopédie Méthodique*, Jurisprudence, Tom. iv. pp. 65, 66.

“ Comme il y avoit dans chaque diocèse un archidiacre qui veilloit sur la conduite des clercs inférieurs, il y a eu presque dès les premiers siècles un archiprêtre dans chaque diocèse, chargé de célébrer le service divin dans l'église principale, en l'absence de l'évêque. Mais ce n'est que

long-tems après qu'on a établi à la campagne des archiprêtres ou doyens ruraux, avec une espèce de juridiction sur les curés de leur doyenné. Ils avoient déjà beaucoup d'autorité du tems de Louis le Debonnaire; et le concile d'Aix se plaint de ce qu'ils l'employoient souvent plutôt pour satisfaire leur cupidité, que pour le salut des ames. Quelques-uns de ces doyens ruraux voulurent s'attribuer une juridiction contentieuse, dans laquelle ils furent confirmés par les statuts synodaux d'Angers, et par le concile de Laval, dans le treizième siècle; mais ces entreprises furent reprimées dans la suite. Ils n'ont à présent qu'un droit de visite et d'inspection sur les paroisses et sur les curés de leur district, sans aucune autre juridiction volontaire ou contentieuse."

"Chaque archidiaconé est divisé en plusieurs doyennés, auxquels on donne pour chef un des curés du district, qui s'appelle doyen rural ou archiprêtre rural." P. 34.

"Une des principales fonctions des doyens ruraux est de veiller sur les curés de leur doyenné, et de rendre compte à l'évêque de toute leur conduite."

"En général, les droits et les fonctions des doyens ruraux sont réglés par les statuts de chaque diocèse, et par les termes de la commission qui leur est donnée. Leurs fonctions les plus ordinaires sont de visiter les paroisses de leur doyenné ou district, d'administrer les sacrements aux curés qui sont malades, de mettre en possession de leurs bénéfices les nouveaux curés, de présider aux calendes ou conférences ecclésiastiques qui se tenoient autrefois au commencement de chaque mois, de distribuer aux autres curés les saintes huiles qui leur sont adressées par l'évêque, et de leur faire tenir ses ordonnances et mandemens. Au reste, quelque étendue que soit leur commission, ils ne doivent

*Encyclopédie
Méthodique, Ju-
risprudence,
Tom. IV.
pp. 65, 66.*

rien faire que conformément aux ordres qu'ils ont reçus de lui, et doivent lui rapporter fidèlement tout ce qui se passe."

"Comme les doyens ruraux ont également à répondre à leur évêque et à l'archidiacre dans le district duquel est leur doyenné, le droit commun est qu'ils doivent être nommés par l'évêque et par l'archidiacre conjointement. C'est pourquoi, dans la plupart des diocèses, l'évêque donne la commission de doyen rural sur la présentation de l'archidiacre ; il y a néanmoins des diocèses où l'évêque choisit seul les doyens ruraux, d'autres où ce choix appartient aux curés du doyenné, qui présentent à l'évêque celui qu'ils ont élu."

"La commission des doyens ruraux contient ordinairement la clause, 'qu'elle ne vaudra que tant qu'il plaira à l'évêque': cette clause y est même toujours sous-entendue, en sorte que l'évêque peut les révoquer quand il le juge à propos, à moins que l'archidiacre ou les curés du doyenné n'aient eu quelque part à leur nomination, auquel cas ils ne pourroient être révoqués que du consentement de ceux qui les auroient nommés."

Richard, *Analysis CC. Gen. et Part.* Tom. III. p. 36.

Richard gives us the following epitome of the duties of archpresbyters-rural in his *Analysis of the Councils*:—

"*Ruralibus archipresbyteris super ruri paræciis pluribus inspectio est, et hoc inspectionis jus continet alia plura quæ Cardinalis Camus, in suis Constitutionibus, tit. 3. art. 1. n. 2., his verbis complexus est: 'Nos quidem omnem potestatem et omnes honoris notas iis attribuimus, quæ iisdem in conciliis attribuuntur, et in eo continentur, ut, quàm latè eorum archipresbyteratus patet, divinum verbum nuntiare, confessiones audire, catholicæ fidei rudimenta tradere possint; ut hæreticos hæreseos abjuratone recipiant; ut iis absolutionem tribuant, qui intra eorundem regionis fines ad fidem redeunt; ut absolvere possint ab omnibus casibus*

reservatis, præter quam ut ecclesiæ ornamenta et alia benedicant, sacris exceptis rebus quarum benedictio non sine unctione peragitur; ut in archipresbyteratu ægro-tantibus, prout opus habuerint carniū usum concedent; ut scholæ magistros approbent; ut denique festis diebus, cum necessitas postulaverit, operibus vacandi veniam dent¹.’ ”

*De Canonici et
Dignitatibus,
cap. vi. p. 67.*

In the churches of Spain (from whence I regret to say I have not been able to enrich my *Appendix* with any documents) it would appear, from Augustin Barbosa, the office of *Dean rural* existed upon much of the same footing as in England and France, in the seventeenth century—when the bishop of Ugento compiled his treatise *on church-dignities*. The Spanish archpresbyter-rural was capacitated, at the time referred to, to exercise whatsoever authority, in addition to his parochial duty, the bishop chose to delegate to him:—“*Archipresbyter ruralis,*” says the canonist, “*eam habet auctoritatem, præter parochiale officium, quam ei episcopus dare voluerit.*” But the exact extent of the power delegated to him by the bishop, and vicariously exercised by the archpriest, is not very distinctly set forth: nor do I possess any means of certifying the condition of the office at the present time in the Peninsula. My *Collectanea* are very defective with regard to the usages of Spain. And of the church-police of the country, generally, in modern continental states, with the exception of Russia, I must express, with shame, my unqualified ignorance. Russia has supplied some interesting facts, which, from the little

(¹) See also Gibert. *Instit. Eccles. et Benef.* T. I. p. 163. Edit. MDCCL., and Richard. *Analysis CC. Gen. et Part.* in voce *Decanus*, Tom. III. p. 134. Edit. Dalmati, Venet. MDCCLXXVI.

that is known in England of the discipline of the Græco-Russ church, may not be unacceptable to the reader.

Ex Epist. M^r.
Rev. R. Black-
more Sacris Mi-
nistr. in Ecclesiâ
de Cronstadt.

There exists, then, in the Greek church of Russia, as I am informed, an office not unlike that of the *dean* rural in our own. The duties are nearly the same. The Russian functionary has the inspection of the morals of the clergy, the manner in which they perform their ministerial duties, and the state of the rural churches (but not of the glebe-manse¹), within a certain district, usually comprehending eight or ten parishes. Of these matters he makes an annual, or, if any thing particular occur, a more frequent report to his immediate superior, who has the title or name of *protopope* or *protiere*, or

(¹) The duty of rural *deans*, or *blagochennic*, does not extend to the inspection of parsonage-houses, and the reason is this:—

In the villages, the parsonage-houses are the private property, with certain limitations, of the respective incumbents. Each parish has a certain portion of land appropriated to the church; of which the minister has a share, and which, with the surplice fees, constitutes his entire income. The parsonage is built on the glebe; but on the demise of one incumbent, and the succession of another (appointed by the synod, on the recommendation of the bishop, who is often influenced in his choice by the chief landed proprietor and farmers of the parish), the parsonage remains the property of the family of the late incumbent.

If a son of the deceased succeed to the father's living, he takes to the parsonage as a matter of course. But, in the event of there being no son in orders, or none eligible, the husband of the eldest daughter, being a clergyman, is capacitated to take possession of the manse;—which arrangement is often the means of getting the eldest daughter a husband, however aged she may be, or destitute of personal charms^{*}.

But

^{*} An instance of this, Mr. Blackmore writes, has just occurred. An old priest lately died, leaving two daughters, neither very fair nor very young. In the course of a month, his place was filled; and one of the weeping orphans duly installed in her mother's place (pastor's wife), a smiling bride.

archpriest. The latter (answering to our archdeacon) has the superintendence of all the rural *deans*, who are included in his district, or, to use a word from our own church, his archdeaconry.

The protopope makes his annual or more frequent report to the bishop of the diocese, who (if the matter be too weighty for him to determine) sends it forward to the archbishop, and he (if he be incompetent to decide) refers it to the general synod.

The title of the rural dean of Russia is not derived from the Greek, as those of all the other church dignitaries are, but is purely Russian, *Blagochenot*; which signifies, literally, *of good rank*, and intimates that the person bearing it is *of superior rank to his brethren*. He is appointed by the bishop. See Archbishop Platon's *Instructions to the Blagochennit of his*

But if a stranger succeed, the house is valued by the elders of the village; and the on-coming incumbent pays the sum at which it is estimated, provided the family of the deceased be willing to accept it. If the latter party be unwilling to sell at the valuation affixed, or the new incumbent be unable or disinclined to purchase, the house remains the property of the late incumbent's family, under this peculiar condition—that it is not to be *materially* repaired.

In consequence of which stipulation, the manse soon falls to ruins, and the property of the land, on which it stood, reverts to the church;—a wise regulation—without which, under the operation of so baneful a custom, the whole of the glebe might in time be occupied by lay-houses. In the mean while, either impelled by zeal and custom, or compelled by law, the little farmers and peasants of the village assemble and bring together, according to their several means, the materials for building a new manse; which (as houses in the Russian villages are all of wood) consists of nothing more than a few baulks and bricks:—and every Russian knowing how to build a house, the parsonage is erected in a short time, and the new incumbent placed in possession.

diocese, in the *Appendix*; and *Extracts from the Statutes of the Lutheran Church established in Russia*, respecting the *Probsts* (*Præpositi*), answering to the Russian *Blagochennie*.

For the above particulars the writer and reader are obliged to the Rev. Richard Blackmore, British Minister at Cronstadt; who has kindly translated the Russian documents of the *Appendix* into his maternal language, expressly for the present work; and has also communicated the curious information contained in the subjoined note.

But enough of foreign usages for the present:—more will be found in the *Appendix* of ancient and modern documents.

Burnet's *History of the Reformation*, Vol. I. P. II. B. III. Records, No. VII.

Let us return to the rural-decanal institution, as presented to us in ecclesiastical memorials of our own country, about the middle of the sixteenth century. That the office had decayed in England, at or before the Reformation, has been already stated. It does not appear that it became quite extinct¹. *Deans rural* existed in the twenty-eighth year of the reign of Henry VIII. They are mentioned by the Lord Keeper Cromwel, in the *Injunctions given by the authority of the king's highness to the clergy of this realm* (A.D. MDXXXVI.)—calling upon “the dean, parsons, vicars, and other having cure of soul within each deanery,” to be assistant in putting down “the bishop of Rome’s pretended and usurped power and jurisdiction within this realm,” “under the pain of suspension and sequestration of the fruits of their benefices.” Still the decanal authority was reduced

(¹) *Deans rural* are mentioned as existing in some few dioceses of England, when the *Valor Ecclesiasticus* Henrici VIII. was compiled.

to a very low ebb. Were any endeavours made, at that memorable epoch, for its countenance and sustentation?—Yes. During the reigns of Henry VIII. and Edward VI.—when the rights and laudable practices of antiquity in respect of church-discipline were attempted to be revived—the reformers of the ecclesiastic laws made such endeavours, by devoting a chapter of their learned and laborious compilation to archpresbyters or deans rural, and the improvement of the economy of their office.

Among the new laws proposed as most expedient to the interests of the reformed church, the following comprehensive duties were sketched out for the officers in question:—“*Decanatus quilibet archipresbyterum rusticorum habeat, vel ab episcopo vel ecclesiæ ordinario præficiendum. Munus autem ejus erit annuum. Hic tanquàm in speculâ presbyteris, diaconis, gardianis, et ædituis, ut singuli quæ ad eorum munus attinent præstent, perpetuo invigilabit. De idolatris et hæreticis, de simoniaciis, de lenonibus et meretricibus, de adulteris et fornicatoribus, de iis qui duas uxores simul habent, atque maritos duos, de magis et veneficis, de calumniatoribus et blasphemis, de sodomiticis et ebriosis, de ultimarum voluntatum corruptelis et perjuriis, de injunctionum aut nostrarum aut episcopi violatoribus, inquiret. Et vocandi ad se, examinandi horum scelerum suspectos auctoritatem habeat. Omnem accusationis ortum, sive per famam publicam, sive deferentium testimonio probatum, vel suspectum, episcopo aut ejus loci ordinario infra decem dies in scriptis prodet. Qui autem venire ad eum recusaverit, per apparitorem vocatus, tanquàm contumax censetur: episcopi voluntatem omnibus ejus decanatus ecclesiis sibi per literas significatam, quantâ*

*Reformatio L.L.
Ecclesiast. c. v.
p. 95. De Archi-
presbyteris sive
Decanis Rura-
libus.*

poterit celeritate subinde exponi curabit: alioqui subibit supplicium contemptus. Officii sui sexto quolibet mense episcopum aut loci ordinarium certiores faciet, quot in ejus decanatu conciones eo temporis spatio fuerint habitæ."

This may be considered a half-official declaration of the sentiments of our English reformers on the utility of the office, and its applicability to the then contemplated improvement of church-discipline. A wholesome and efficient enactment indeed it was!—and if it had passed into practice, in the then dearth of church-discipline, it had certainly done great service to religion. But the entire project, as the reader is of course well aware, fell to the ground, for want of legislative confirmation; the remodelling of the laws and discipline of the church of England not being destined to follow, as was originally intended, the reformation of her doctrine and worship¹.

Church History of Britain, vii. Book, *A.D.* MDLII. Edit. 6 an. R. 6.

(¹) The observations of Fuller and Strype on this project, and its failure, may not be unacceptable to the reader:—"When the Pope's power was banished out of England," says the Church-historian of Britain, "his canon-law, with the numerous books and branches thereof, lost its authority in the king's dominions. Yet, because some gold must be presumed amongst so much dross, grain amongst so much chaffe, it was thought fit, that so much of the canon-law should remain, as was found conformable of the word of God, and laws of the land. And therefore King Henry the Eighth was impowered, by Act of Parliament, to elect two and thirty able persons, to reform the ecclesiastical laws; though in his reign very little to good purpose was performed therein."

Strype's Annals of the Reformation, Vol. i. P. 1. p. 85. col. II. *A.D.* MDLVIII.

"The bill" (*for making ecclesiastical laws &c.*), says the Annalist, "wherein infinite pains had been taken by Archbishop Cranmer, and divers of the learnedest men in King Edward's reign, had been often brought into that king's parliaments, and had found difficulty to pass, though earnestly desired by the best men: nor had it better fortune in Elizabeth's reign. Men did not then care to be restrained by church discipline."

Yet, though the *Reformatio Legum Ecclesiasticarum* was not formally ratified, remarks Kennett, all those parts of it have no less the force of law, which in former times were such "ecclesiastical canons, constitutions, and ordinances, as were not contrariant or repugnant to the laws, statutes, or customs of the realm, nor to the damage or hurt of the king's prerogative royal." "Of which inoffensive nature was this jurisdiction of rural deans, and therefore ought to have been continued in full force and virtue. But while the state was tender of countenancing too much power in the church; while the clergy¹ lay under a servile awe of incurring a *præmunire* by asserting their ecclesiastical rights; and while the humour of the age ran more into reforming of doctrines, than restoring of discipline, these rural officers were in some deaneries extinct, and in others had a name and shadow only left."

*Parochial Anti-
quities*, Vol. II.
p. 300.
CC. M. B. et H.
Vol. III. p. 771.

To make up for² the failure of this projected scheme of duties, in which the *civil* power was chiefly concerned, the *ecclesiastical* power did what it could to set

(¹) Such a penalty, at a later period, the exemplary bishop of Kilmore well nigh incurred. "When the news of Bedell's reformation of his diocese" (by the enacting certain rules in synod for its guidance, and the appointment of rural deans) "was carried to Dublin," says Burnet, "some said it was an illegal assembly, and that his presuming to make canons, was against law, and brought him within the guilt of a *præmunire*. So that it was expected that he should be brought up as a delinquent, and censured in the Star-Chamber, or High-Commission Court, &c."

*Burnet's Life of
Bishop Bedell*,
p. 62.

(²) "For what reason this project proved abortive," says Atterbury, "they may easily guess, who consider how ready some men have all along been to blame the defects of our church-discipline, and how unwilling at the same time to supply them with proper provisions, lest they should want occasions of complaining."

*Charge to the
Clergy of Tot-
ness*, MDCCVIII.

Strype's *Annals*,
Vol. I. Part I.
pp. 475—479.
anno MDLXII.

Chap. XXVII.

things right by authority of *Convocation*. Accordingly, in the “*General notes of matters to be moved by the clergy in the next parliament and synod*,” classified under four several heads;—“*Touching the third, that is, Ecclesiastical laws and discipline*,” it was suggested, that, while the *Reformatio Legum* of Henry VIII. and Edward VI. was being matured, other articles, then drawn up to the number of thirty-four, should be established: of which the following went to the¹ general institution of *Deans rural*—“That in every *Deanry* in the country there may be constituted by the bishop one grave and discreet priest, to be *archipresbyter*, or *Decanus ruralis*: who shall not only oversee the priests of that *Deanry*, but also have authority to call before him all such as offend against the ecclesiastical laws, and to examine them, and to certify the ordinary thereof: but the said *Dean* not to determine any thing in those matters.”

Of the composer of this paper, which was duly prepared for the consideration of the synod, Strype professes his ignorance. However, nine years after it had been presented to that body as a provisional suggestion—for it never went beyond a mere suggestion,—the provincial synod of London (*A.D.* MDLXXI.), seeing the hopelessness of waiting any longer for a parliamentary ratification of the *Laws Ecclesiastic* of Henry and Edward, ordained, by canon, already cited in the original Latin, that “The

CC. M. B. et H.
Vol. II. p. 157.

(¹) Five years before, it had been ordered in *Convocation*, by Cardinal Pole, under the head, *De disciplina ecclesiastica renovanda, et moribus cleri per eandem reformandis*—“iv. *Ut rurales decani, et officiales non venalem habeant disciplinam ecclesiasticam, sic ut inopes (sicut hoc tempore fit) plectantur, divites ne appellentur quidem.*” *Deans rural* existed, probably, in some few dioceses, during the reign of Queen Mary.

archdeacon, when he had finished his visitation, should signify to the bishop what clergymen he had found in every deanry so well endued with learning and judgement as to be worthy to instruct the people in sermons, and to rule and preside over others. Out of whom the bishop should choose such as he would have to be rural deans."

Sparrow's Collection &c. *Liber Canonum*, Anno MDLXXI. De Archidiaconis, p. 21.
CC. M. B. et H. Vol. IV. p. 264.

But this, indeed, seems rather a permission, says the vicar of Ambrosden, than a positive command, for the continuance of the office. However, it proves that rural deans were thought fit ministers to assist in dispensing the laws and discipline of our reformed church; and it does imply, that when they are deputed by the bishop, they may exert all that power which by canon and custom resided in the said office before the Reformation.

Parochial Antiquities, Vol. II. p. 369.

The canon in question gives no account of the several duties and powers belonging to the deans at that time:—two particulars alone are mentioned, that they should be well qualified to preach and to govern. But good preachers then, says Atterbury, in the infancy of our reformation (when¹ many illiterate men were of necessity to be ordained) being not to be found in every deanry, the character and power of these officers lessened every day; so that the Convocation of MDCIII. (which fixed that body of canons whereby our church is now

CC. M. B. et H. Vol. IV. p. 264.
"Peracta visitatione, &c."

Charge to the Clergy of Totnes, MDCCVIII.

See S. D. R. Part IV. § IV. c. 1. p. 235.

(¹) "As for the inferior clergy," says the witty historian of the Church of Britain, "the best that could be gotten were placed in pastoral charges. Alas! tolerability was eminency in that age. A rush-candle seemed a torch, where no brighter light was e'er seen before. Surely preaching now ran very low, &c."

Fuller, *Cent.* XVI. B. IX. p. 65.

governed) appears not to have entered into any measure towards restoring it¹.

Nay, it seems rather, that James the First had a strong prejudice against an ancient and important branch of the rural-dean's office—that of chapter-holding in the deantries:—as may be inferred from the warm reply of “the pedant king” to the representatives of the Scotch Kirk at the conference of Hampton Court; when they proposed, among some silly overtures of reformation, the revival of clerical meetings in the rural deantries, to be periodically held every three weeks for the purpose of prophesying:—“*Ultimò summis votis expetebant, ut clerus juxta constitutiones provinciales quolibet tertiâ hebdomade in decanatibus ruralibus conveniret, eoque tempore prophetias exerceret, prout à archiepiscopo Cantuar. Grindall, et aliis episcopis, cum consensu reginæ Elizabethæ præscriptum erat; et ut ea, quæ ibidem decidi haud poterant, referrentur ad visitationes archidiaconales, et abhinc ad synodum episcopalem, in quâ episcopus cum presbyteris suis omnes controversias dirimeret.*”

*Concilium Ham-
toniense.*

*CC. M. B. et H.
Vol. IV. p. 374.*

*Charge to the
Clergy of the
Archdeaconry
of Totness,
MDCCVIII.
Correspondence,
Vol. II. p. 251.*

(¹) “It hath been endeavoured, indeed, to promote the same end by other means,” says Atterbury, “with which our constitution is wholly unacquainted; namely, by a voluntary erection of *Societies for the Reformation of Manners*. Far be it from me to condemn the zeal of those persons who with good intentions entered on that desirable work, however unqualified they might be for it. But, when we consider who have encouraged it most, and been most employed in it, we may be allowed to suspect, that one end which some men have had in carrying it on was to take the inspection of manners out of their hands, to whom it most properly belongs; and by that means to render the function as useless as they could, in order to its becoming contemptible.” See White Kennett’s *98th Letter to Bishop Gardiner of Lincoln*, cited beyond, in reprobation of these same Societies.

Plausible as the proposition appears, it met with a sharp rejoinder from the wary monarch, who doubtless, from his answer, suspected it to favour of puritanism :—“ If you aim at Scotch presbytery,” quoth he, “ it agrees with monarchy as God with the devil.”—“ The petition being urged upon the objectionable plea of prophecy,” says the nameless author of *A Humble Proposal for Parochial Reformation*, “ it is probable, for that very reason was denied; seeing it was not advanced upon the constitutions of the church, which enjoin not prophecy, but assistance to the bishops in the government of the church.”

A Humble Proposal for Parochial Reformation, c. vi. p. 36. ex G. G. Hist. Church of Brit. pp. 267-8.

Had the proposal originated in a less suspicious quarter, it might have been more graciously entertained; but, coming whence it did, it met with no favour from “ His Majestie our Sollomon”—who “ rather usede upbraidings than argumente with the Puritans in conference, and bade them awaie with their snivelling” (says Sir John Harrington, who was present at a part of the conference¹);—and, accordingly, away went moderators or rural deans, and district conventions of the clergy! None such were established by canon in this reign: nor do any appear in the reign of the unhappy son and successor of James—at least, not in documents of the Church of England—though the sixth clause of King Charles’s *Instructions to Archbishop Laud* (A.D. MDCXXXIII),

Nugæ Antiquæ, Vol. II. p. 9. Vol. I. pp. 181-2.

CC. M. B. et H. Vol. IV. p. 480.

(¹) For a full account of this conference, held Jan. 14, MDCIII., see Fuller’s *C. H.* xvii cent. x Book, pp. 7, seqq.; Collier’s *E. H.* Vol. II. B. viii. p. 681; Southey’s *Book of the Church*, V. II. c. xvi. pp. 316, seqq.; and for a brief and humorous account of it, see Harrington’s *Nugæ Antiquæ*, Vol. I. p. 181.

Barnet's *Life of*
Bishop Bedell,
p. 62.

CC. M. B. et H.
Vol. iv. pp. 537,
538.

Statuta Primæ
Synodi Kilmorensis.

at the same time that it points out the want of *clerical supervisors* in aid of the diocesan bishops, seems to suggest and justify their appointment. Still, none were instituted. In Ireland, however, they are found five years later, established by the apostolical Bishop Bedell, in the see of Kilmore (*A.D.* MDCXXXVIII.):—to whose remodelling of the ecclesiastical economy of his diocese in the best spirit of by-gone days, a few words of our historical epilogue are next due. After he had been for many years carrying on the reformation of his diocese, he resolved to hold a synod of all his clergy, and to establish some rules for the better government of the flock committed to him. By the fifth and sixth canons, on that occasion passed, “He revived,” says the bishop of Salisbury, “the ancient custom of rural *deans*, and appointed that there should be three for the three divisions of his diocese; who should be chosen by the clergy, and should have an inspection into their deportment, and make report to the bishop of what passed among them, and transmit the bishop’s orders to them; and that once a month the clergy of each division should meet, and preach by turns, without long prayers or preambles.”

Passing over the days of religious and political anarchy, and the wreck of crown and mitre which ensued, we hail with joy, at the restoration of monarchy, the rural archpriesthood again raising its unassuming head under the wing of episcopacy.

A Declaration
concerning Ec-
clesiastical Af-
airs, MDCLX.

After a long and wordy preamble, in which King Charles (*A.D.* MDCLX.) states it to be “evident to the world,” and proved to “this little part of the world, his own dominions, by late experience,” “how much the peace of the state is concerned in the peace of the

church, and how difficult a thing it is to preserve order and government in civil, whilst there is no order or government in ecclesiastical affairs;" he introduces his "*Declaration to all his loving subjects of his kingdom of England and dominion of Wales concerning ecclesiastical affairs.*" The fifth canon of which royal proclamation relates, in part, to the decanal office of the country, the nomination of the dean by the diocesan, and the constitution and duties of his charge.

Some few extracts have been already made from this document; but I here give in sequence all that relates to our subject.—“ Besides the suffragans and their prebbytery (*see* can. II.), every rural dean (those deans, as heretofore, to be nominated by the bishop of the diocese) together with three or four ministers of that deanry, chosen by the major part of all the ministers within the same, shall meet once in every month, to receive such complaints as shall be presented to them by the ministers or churchwardens of the respective parishes; and also to compose all such differences betwixt party and party, as shall be referred unto them by way of arbitration, and to convince offenders, and reform all such things as they find amiss, by their pastoral reproofs and admonitions, if they may be so reformed: and such matters as they cannot by their pastoral and persuasive way compose and reform, are by them to be prepared for, and presented to, the bishop. At which meeting any other ministers of that deanry may, if they please, be present and assist. Moreover, the rural dean and his assistants are in their respective divisions to see that the children and younger sort be carefully instructed, by the respective ministers of every parish, in the grounds of the

CC. M. B. et H.
Vol. IV. can. V.
p. 562.

Christian religion, and be able to give a good account of their faith and knowledge, and also of their Christian conversation conformable thereunto, before they be confirmed by the bishop, or admitted to the sacrament of the Lord's Supper."

During the following reigns of James II. and William and Mary, I find no notices of *deans rural* in the valuable collection of church-documents preserved by Archdeacon Wilkins.

CC. M. B. et H.
Vol. iv. p. 638.
*Proceedings in
Convocation
about Rural
Deans*, pp. 641,
seqq.

In the year MDCCX., Queen Anne committed certain heads of business to the *Convocation*, "*to be debated, considered, consulted, and agreed upon*;"—of which, one was, "*the establishing rural deans, where they are not; and rendering them more useful, where they are.*" And the following year, the *Upper House*, having considered the report made from the Committee of both *Houses* appointed to consider the subject, came to the following resolutions:—

"I. It is the opinion of this *House*, that the number and extent of rural *deanries* may best continue according to the ancient division established by law and custom.

P. 642. "II. That a canon or constitution shall be drawn, declaring the office and powers of a rural *dean*; as particularly to inquire into the manners of the clergy and people, to visit and examine the state of parochial churches and chapels, with the chancels of the same, together with the ornaments and utensils thereunto belonging, as also the mansers of rectors and vicars, and all ecclesiastical endowments; to inquire into the condition of schools, hospitals, parochial libraries, and the several gifts and legacies bequeathed to pious and charitable uses; and, after such due inquiries, to represent

yearly to the bishop, or to the archdeacon, or other ordinary, any notorious crimes, scandals, errors, or defects in ecclesiastical matters or persons within the district of the said deanry, to be by them transmitted to the bishop; that so, if, upon private admonition, there does not follow a due reformation, then legal process may issue thereupon.

“ III. That in every diocese the persons to be appointed to the office of rural deans shall be beneficed within the deanry, as rectors, vicars, or perpetual curates, and shall be resident upon their respective benefices or cures; men of the elder and graver sort of the clergy, and graduates in one of the two Universities within this province.

“ IV. That the clergy of every deanry, or the greater part of them, shall chuse a person thus qualified, who shall be presented by the archdeacon or other ordinary to the bishop, for his approbation; and when approved, shall be appointed by the bishop, under his hand, to execute the said office for the term of three years, unless cause should appear to the bishop for altering the said term.

“ V. That a paper of instructions from the bishop shall be given to every rural dean so appointed, as above, without fee or reward, directing him how and in what manner to exercise that office; and that every dean, so appointed, shall solemnly promise, in the presence of the bishop, or any other person appointed by him, to execute the said office according to such instructions, to the best of his skill and power.

“ VI. That it would be proper to consider, whether any privileges or profits can be restored or conveyed to rural deans, to encourage them in the better execution of

their office; as how far it may be practicable, that the rural deans shall be the only surrogates within their own district, to be appointed by the chancellors, or other judges ecclesiastical; and the mandates of inductions be directed to the rural dean, to be executed by him, or any other neighbouring minister; and that the said rural deans be first nominated in all writs of inquiry *de jure patronatus*, in sequestrations, and in all other commissions to be issued from the bishop or ecclesiastical court relating to any persons or matters within their respective districts; and that in all testimonials required by the bishop or other ordinary, relating to the abilities and manners of candidates for holy orders, curates, schoolmasters, or others within their said districts, a more particular regard shall be had to the testimony of rural deans.

“VII. Nevertheless, in those dioceses of this province, wherein rural deans have been hitherto constantly kept up with good effect, and in which the custom time out of mind hath been to chuse, appoint, or admit them in other manner, or for a longer or shorter term, than is before mentioned; it is hereby intended, that the ancient custom of such dioceses, as to the manner of the appointment and admission, and the term of their continuance in office, be still observed, unless the respective bishops of such dioceses shall think fit, with the consent of the clergy, to alter the same.”

CC. M. B. et H.
Vol. IV. p. 642.

The *Lower House* having considered the different paragraphs of this paper sent down to them from the *Upper House*, agreed to the first and third, but dissented from and amended the second, fourth, fifth, and sixth; whereupon a long controversy ensued between the

parties; which I have thrown into a smaller type, and disposed of below¹.

Undertaken at the suggestion of the civil power, and

(¹) The second paragraph, the *Lower House* desires may be thus amended:—

2d. That a canon of constitution should be drawn up, declaring the office and power of a rural dean; as, particularly to enquire into the manners of the clergy and people, into the condition of schools, hospitals, parochial libraries, and the several gifts and legacies bequeathed to pious and charitable uses; and when duly commissioned by the bishop, or archdeacon, or other ordinary, to visit and examine the state of parochial churches and chapels, with the chancels of the same, together with the ornaments and utensils thereunto belonging, as also the manes of rectors and vicars, and all ecclesiastical endowments; and after such due enquiries, to represent to the bishop, or to the archdeacon, or other ordinary, any notorious crimes, scandals, errors, or defects in ecclesiastical matters or persons within the district of the said deanery, that so, if upon private admonition there doth not follow a due reformation, then legal process may issue thereupon.

The fourth paragraph they desire may be thus amended:—

4th. That a person so qualified for the office of rural dean shall be recommended, by the archdeacons having jurisdiction, to the bishops, for their approbation; and where there are no archdeacons having jurisdiction, shall be nominated by the bishops; and when so approved or nominated, shall be appointed by the bishops, under their hands, to execute the said office for the term of three years, unless great cause shall appear to the bishops, and archdeacons having jurisdiction, or to the bishops where there are no archdeacons with jurisdiction, for displacing them sooner.

The fifth paragraph they desire may be thus amended:—

5th. That every rural dean, so appointed, shall, in the presence of the bishop, or some person by him deputed, solemnly promise to execute his office faithfully, to the best of his skill and power.

6th. To what was proposed in the sixth paragraph, the *Lower House* return answer, that they are of opinion that the privileges and profits therein

under the auspices of Queen Anne, these *Proceedings* might have been expected to have led to other ends than mere fruitless discussion;—in which discordancies

therein mentioned may properly be restored or conveyed to rural deans; but desire, that these amendments may be made in that paragraph; *videlicet*, that the words “shall be the only surrogates,” be changed into these words, “shall be always surrogates.”

And that the words, “the mandates of induction be directed to the rural dean, to be executed by him or any other neighbouring minister,” be changed into these words, “the archdeacon’s mandates of induction, or the mandate of the bishop, where the archdeacon hath no right to induct, be directed to the rural deans, and to any other rector, vicar, or perpetual curate, within his deanry.”

Instead of the seventh paragraph, they desire these clauses may be added:—

Saving, in all these cases, to all dioceses and archdeaconries the several rights, to which, either by prescription or express composition, they may be intitled.

Nevertheless, in those dioceses where the directions given by the canon, now to be drawn in relation to the appointment of rural deans, shall not be observed, the rural deans shall not be intitled to the privileges and profits intended to be conveyed to rural deans by that canon.

Provided, that where it shall happen, by reason of the smallness of any rural deanry, that no person qualified, as the third article requires, can be found to execute the mandate of induction, in such case it may be executed by any of the clergy of the adjacent deanry.

The *Upper House of Convocation* having considered the amendments made by the *Lower House* to the paper sent down to them concerning the establishment of rural deans, have agreed to them, with the following amendments. (*April 25th, MDCCCL*)

Paragraph the fourth, leave out the word “great” after “unless.”

In the same paragraph, after “to the bishops,” leave out “and archdeacons &c.” to “for displacing them sooner.”

And leaving out the paragraph beginning with these words, “Nevertheless, in these dioceses.”

The

of opinion about mere trifles, and jarrings about nominal privileges, were the leading features of a protracted Convocational war. Such was the only issue. The project

The *Lower House* have considered the amendments sent down by your *Lordships*, relating to the paper about rural deans; and cannot agree to the two first of those amendments. The reasons of their disagreement are contained in the following paper: (*May 5th*, MDCCXI.)

May it please your *Lordships*—

The fourth paragraph of the paper relating to rural deans, as sent up by the *Lower House* to your *Lordships*, contained the following clause: “Unless great cause shall appear to the bishops and archdeacons having jurisdiction, or to the bishop where there is no archdeacon with jurisdiction, for displacing them sooner.”

This clause your *Lordships* propose should be thus amended: “Unless cause shall appear to the bishops for displacing them sooner.”

To this amendment the *Lower House* disagrees, for the following reasons:—

1st. Rural deans, by the nature and duty of their office, are ministerial, both to the bishop and archdeacon; and your *Lordships* have been pleased to agree, that they shall be appointed by both jointly; and the clergy do humbly conceive that the same reason will equally hold for the displacing of them by both jointly.

2d. What is conceived to be thus reasonable in itself, is expressly enjoined and determined in the body of the canon-law, under the title “*De officio archidiaconi*,” which chapter is a decretal epistle of Innocent the Third, and contains as follows:—“*Subsequenter*,” etc.

3d. That no doubt may remain whether the foregoing decretal epistle, and particularly this clause of it, was received in England, the same rule of placing and displacing rural deans by the bishop and archdeacon jointly, is laid down by Athon and Lynwode, in their several commentaries upon the Legatine and Provincial Constitutions, and in both with express reference to the said decretal epistle. In the Legatine Constitution of Otho, intituled, “*De VII. Sacramentis*,” is this clause: “*Archidiaconi verò in singulis conventibus suorum decanatum sacerdotes in his maxime*

fell abortive to the ground, and was never afterwards renewed. All important suggestions, which in the course of the controversy originated with the *Lower House* in

maximè studeant erudire," etc., where, left the mention of "*Decanatum fuorum*" with immediate reference to the archdeacons, should be thought to imply that rural Deans are subject to the archdeacons alone, the gloss of John de Athon cautions us not to argue from that expression, "*Quòd decanatus rurales, et per consequens decani ibi præfecti sunt ipsorum archidiaconorum, (sed certè salvâ consuetudine locorum) tam præfici debent decani tales, quàm etiam amoveri per episcopum et archidiaconum simul de jure:*"—and then he refers to the decretal epistle abovesaid.

Also, in the Provincial Constitutions, tit. "*De judiciis c. 1. in causa,*" where the words of the Constitutions are, "*Statuimus, ut decani rurales nullam causam matrimonialem de cætero audire præsumant;*" the gloss of Lynwode upon the words "*Decani rurales*" is this: "*De his legitur de offic. archid. Adhæc in p. ubi dicit Innocentius, quòd sunt personæ habentes quædam officia, communiter spectantia ad episcopum et archidiaconum; et idèd communiter eorum receptio et amotio pertinet ad utrumque, ut ibi dicitur in textu.*"

For these reasons it is humbly hoped that your *Lordships* would be pleased to agree with the *Lower House* in continuing your archdeacons the share which the present constitution of our church gives them, as in the appointing, so also in the displacing, of rural Deans.

To the third amendment proposed by your *Lordships* they have agreed, with the addition of a request to your *Lordships*, which has passed the *House* in the words following:—

The *Lower House* do not insist upon the clause, which begins with the words "*Nevertheless in those dioceses,*" but agree with your *Lordships* in the omission of it. They offered that proviso to your *Lordships* out of a desire to procure an universal conformity to the constitutions now to be made; but since that is not approved, they submit to your *Lordships'* wisdom to think of such an expedient as may be most likely to procure the conformity desired, and to make the rural Deans, according to the directions given in her Majesty's *Letter*, still more useful, where they are.

The

reply to the *Upper*, or *vice versa*, have been adverted to in earlier sheets, and are below given in full.

Mixed up with the bickerings of the two *Houses* of

The *Upper House of Convocation* have considered the reasons offered by the *Lower House* for their disagreeing to the amendments made by the *Upper House* in the fourth paragraph of the paper relating to rural deans; and think them not sufficient to induce this *House* to recede from the same amendments, for the following reasons: (*May 16th*, MDCCXI.)

1st. In the first reason of the *Lower House* for disagreeing to the said amendments, it is alleged that the bishops have agreed that the said rural deans shall be appointed jointly by the bishop and archdeacon, and from thence infer that they ought to be displaced jointly by both; whereas, in this very paragraph, it appears that the rural deans are only to be recommended by the archdeacons having jurisdiction, and appointed solely by the bishops, under their hands;—so that the foundation of this reason being laid upon a mistake in fact, the reason grounded upon it cannot but fail.

2d. It appears from the second paragraph, as amended by the *Lower House*, that the rural deans, when appointed, cannot perform the archdeacon's part in visiting churches *etc.*, without a particular commission from him; and, consequently, that they are not immediately, by their appointment to that office, ministerial both to the bishop and archdeacon, nor therefore intitled, upon that account, to hold the same, until they shall be displaced jointly by both. And therefore,

3d. The decretal epistle of Innocent III., which proceeds upon a general supposition that the rural deans have equal relation to the bishops and archdeacons, and thereupon provides that they should be as well placed as displaced by both, is not applicable to the present case, wherein the constitutions proposed have made another provision.

4th. The decretal epistle is of the least weight; for being written at a time when the popes made it their business to lessen the authority of the bishops, for the increase of their own; and for being the single ground of those glosses which afterwards followed, agreeable to it.

5th. That of what weight soever it might be, while any rural deans subsisted here upon that foot which that decretal epistle supposes, it cannot in the least oblige us to govern ourselves by it in a new establishment of rural deans, where they are not;—especially, if it be considered,

6th.

Convocation (wherein the *Upper House* had much the best of the argument), the document, as given by David Wilkins, contains much valuable matter, that may be

6th. That when that part of the canon-law obtained, there was a saving to the different customs of several places; as appears by the gloss referred to by the *Lower House*, in their third reason. And, therefore, if this epistle did not in its fullest authority overrule those customs, there is much less reason that, after it has been long out of use, it should determine the *Convocation* in their measures of establishing, *de novo*, rural deans, where they are not.

7th. The archbishops and bishops in convocation assembled, MDLXXI., did not think themselves bound by it, when, in the chapter "*Archidiaconi*," they express themselves thus:—" *Peracta visitatione, archidiaconus significabit episcopo, quos invenerit in quoque decanatu eâ doctrinâ et judicio præditos, ut digni sint, qui pro concione doceant populum, et præsent aliis. Es illis episcopus potest electum facere, quos velit esse decanos rurales.*"

8th. Nor did it hinder the council of Trent itself, as little favourable as it was to the order of bishops, from going farther than this, when they were pursuing the matter of reformation, and decreeing, *Scff. 21. chap. 3.* in these words:—" *Archidiaconi autem, decani, et alii inferiores in iis ecclesiis, ubi, hactenus visitationem exercere legitime consueverunt, debeant quidem, assumpto notario, de consensu episcopi deinceps per seipso tandem ibidem visitare.*"

9th. The *Lower House* do not seem to think themselves bound by that papal decree, to which they refer, when they suppose, in their request subjoined to their reasons to break in upon those customs which obtain in those places where rural deans are found, in order to make them, according to the direction given in her Majesty's Letter, still more useful, where they are.

For if they think, and it may be very rightly, that those customs, which were saved by the gloss upon that canon to which they refer, may be altered by a new constitution for the improvement of the state of the church; they cannot reasonably pretend, that the bishops are not at liberty to propose a new constitution for the establishing rural deans, where they are not, different from that papal decree which has been so

long

turned to account, if ever it should be thought advisable, in these days of ecclesiastical reform, to amplify and extend the powers of *Deans rural*. Many of the sug-

long out of use, if they think such new constitution more for the service of the church.

They do think the constitution proposed, as amended by them, best fitted to maintain and promote the good order of the church; and therefore insist upon their former amendments; and hope the *Lower House* will observe the regard they shew to the archdeacons, in agreeing to the other amendments made by the *Lower House* in relation to them.

And as to the request of the *Lower House*, that we would think of some expedient, as may be most likely to procure a conformity in this matter throughout the province; we are ready to enter into the consideration of it, and to receive any proposals from the *Lower House* about it, that we may not only establish rural *Deans*, where they are not, but also make them more useful where they are.

The *Lower House* have considered the reasons which your *Lordships* sent down for your adhering to the amendment made in the fourth paragraph of the paper relating to rural *Deans*; and they do humbly beg leave to represent to your *Lordships* (June 5)—

1st. That where the *Lower House*, in their former paper, speak of the joint appointment of rural *Deans* by the bishop and archdeacon, their meaning is not, that they shall be admitted to the said office by the bishop and archdeacon jointly, but only that the bishop may not admit any person, but who shall be recommended to him by the archdeacon. In like manner, where they speak of rural *Deans* being displaced by both, their intention is not, that the archdeacon shall be joined with the bishop in the act of displacing, but only, that the said bishop may not proceed to execute such act without the consent of the archdeacon; the authoritative act being in both cases equally reserved to the bishop.

2d. That as rural *Deans*, by their office, have been ministerial both to the bishop and archdeacon, so they will still continue ministerial by the present canon: and although they cannot proceed in one part of their duty assigned to them (*videlicet*, the visiting of churches) without commission from the bishop or archdeacon, yet they will be obliged, by their office, to execute such commission, when directed to them; and it is humbly

gestions are prudentially found; and would be found, in the author's humble opinion, to work well.

The Letter of George I. to the Convocation, about busi-

humbly conceived, that no person, who is bound to execute the commission of another, becomes less ministerial to that order, by a restraint from acting till he hath received such commission.

3d. That the rural Deans still remaining ministerial to the archdeacon as well as to the bishop, it is humbly hoped that the inference which the *Lower House* drew from thence (*videlicet*, that therefore the archdeacon ought in reason to be concerned together with the bishop in placing and displacing of them) will still be thought just and equitable.

4th. That whereas your *Lordships* are of opinion, that the decretal epistle of Innocent the Third is of less weight for being written in a time when the popes made it their business to lessen the authority of the bishops for the increase of their own; we beg leave to observe, that that declaration of the authority of the archdeacon over rural Deans cannot (as we conceive) be reckoned among the methods invented and practised at that time for lessening the authority of bishops; inasmuch as that epistle doth not make rural Deans ministerial to the archdeacon, but supposes them to be so by the nature of their office; nor is that decision grounded upon an arbitrary declaration of the pope, but upon an established maxim of law, which holds generally in cases of the like nature: *Cum ab omnibus, quod omnes tangit, approbari debeat, et cum commune eorum decanus officium exerceat, communiter est eligendus, vel etiam amovendus.*"

5th. That the said epistle, and the glosses of Lynwode and Athon founded upon it, were not alleged by the *Lower House* in bar to the right and authority of *Convocation* to alter the law in this particular, but only to shew, that the power they desire in behalf of archdeacons is agreeable both to law and reason of former times: and they do still humbly hope, that, inasmuch as the reason of the law continues, your *Lordships* will be pleased to agree, that the law itself (as in placing, so in displacing, rural Deans) may be enforced by the constitution intended to be drawn upon this head.

6th. That the directions given by the archbishop and bishops in MDLXXI. for the choice of rural Deans (the authority of which directions we do not now dispute) do not expressly affect the right of the archdeacons in the point

ness for them (A.D. MDCCXV.), contains many heads of matters proper for synodical consideration, but no allusion to rural deans.

point now under consideration; forasmuch as they prescribe only the method of appointing rural deans, but say nothing of displacing them. And, however, it appears not that the clergy at that time had any opportunity of laying before their *Lordships* the grounds and reasons of their claims in these particulars.

7th. That if your *Lordships* shall not be pleased that the share of archdeacons in displacing of rural deans be declared and confirmed in the present constitution, the *Lower House* are content that these words (Par. 4. "unless great cause shall appear to the bishops and archdeacons, having jurisdiction, for displacing them sooner") be wholly omitted; lest, all the other heads of the said paper being adjusted, a disagreement between the two Houses upon this one article should for the present disappoint her Majesty's expectation, and deprive the church of the benefits that may arise from a regular establishment of rural deans.

SECTION III.

SUGGESTIONS, PUBLIC AND PRIVATE, FOR THE ESTABLISHMENT OF A
Rural Church-Police IN THE DEANTRIES OF ENGLAND.

WITHIN the period which we have marked out as that of the decline and attempted revival of the office of *Dean rural*—in addition to the public records of synods and convocations—there are a few hints of private individuals and men of eminence in public life, towards the refuscitation of the rural church-police of Great Britain, not unworthy to be here subjoined. Some of the suggestions, it must be allowed, are more mixed up with the *chorępiskopal* than the *archipresbyteral* economy, have more to do with rural bishops than rural deans;—but, to whichsoever bearing more immediate reference (seeing how intimately blended is the history of both offices), they do not appear to be irrelevant to the object of our inquiry.

Under the royal auspices of Edward VI., Elizabeth, Charles II., and Anne, the opinions alluded to were delivered, either as general suggestions for reviving the decayed discipline of the church at large, which had so much suffered during the shock of the Reformation; or in special relation to the rural-deanial office, with the hope of instilling into that particular branch of the ecclesiastical constitution some portion of its primitive life and energy; which had been waning before the event adverted to, and which that event, at once, entirely

suspended. These opinions shew, collectively, how strong the writers of that period seem to have felt the usefulness and importance of efficient *secondary* officers in the administration of ecclesiastical discipline;—of which they assumed the public, or private advocacy, in the following intimations.

First and foremost stands the address of Martin Bucer *concerning the Kingdom of Christ*, presented (A.D. MDL.) as a new-year's gift to Edward VI.—wherein, says Burnet, “the author writes largely of ecclesiastical discipline,” and proposes divers laws for the king's consideration. Among which, under the fourth head, “he advises that *co-adjutors* should be given to some bishops, and a council of presbyters be appointed for them all.” He then recommends “*rural bishops* to be set over twenty or thirty parishes” (meaning thereby, possibly, our *bislan* or *bican superintendants*—for the previous suggestion of *episcopal co-adjutors* seems to preclude any higher interpretation) “who should gather their clergy often together, and inspect them closely: and that a provincial synod should meet twice a year, where a secular man, in the king's name, should be appointed to observe their proceedings.” But the reader, perhaps, will not be unwilling to hear Martin plead his own cause to the youthful monarch, his royal patron.

History of the Reformation,
Vol. II. P. II.
B. I. p. 322.

“*Quo verò*,” says this eminent German reformer, “*si quid tale existat, episcopi id in tempore resciscant, revocanda erit vetus illa diœcesium distributio, ut singulis viginti, aut circiter, parochiis, unus ex earum parochiarum curatoribus, qui ad hanc functionem præ cæteris appareat idoneus, præficiatur theopiscopus, qui his ecclesiis contra Satanae insidias et insultus singulariter advigilet:*

De Regno Christi, I. II.
c. XII. p. 73.

et si quid ipse vel apud collegas suos, vel apud plebes ad hanc curam sibi commendatas, corrigere non possit, deferat quamprimum ad episcopum."

"Atque ne quid corrigendum, aut non inultum emergat, debet ille collegas suos, et compresbyteros certis temporibus, et frequentèr ad se convocare, et cum D. Scripturarum explicatione, et sumptâ ex illis cohortatione, tum piis inter omnes collationibus, fidem cognitionemque Christi, cum sibi ipsi, tum collegis suis confirmare, et studium atque zelum regni Christi magis magisque incendere. Quin etiam plebes curæ cujusque commendatas, debent isti chorepiscopi subindè, cum illud per parochiarum suarum procuracionem poterunt, invisere, atque verbum vitæ æternæ illis administrare: et iis præcipuè, quæ pastores habent ad regnum Christi minis doctos et ferventes."

"Præterea episcoporum erit, cujusque provinciæ binas quotannis synodos celebrare, uti tot canonibus et piorum imperatorum legibus est constitutum. Ad quas synodos non civitatum modò episcopi, sed etiam chorepiscopi, aliique presbyteri et diaconi, qui regni Christi scientiâ et zelo ampliore donati sunt, debent convocari atque audiri: quo efficacius et quæ obrepserint in ecclesias vitia, corrigantur, et pietas omnium instauretur."

See Martini Buceri Scripta Anglicana, &c. Basil, MDLXXVII. folio edit.

"Quibus synodis perutile erit ut S. M. T. semper adhibeat viros religionis Christi studiosos, et summâ authoritate præditos, qui in synodis suæ majestatis nomine cum metropolitano præsideant, ordinemque decentem conservent, &c."

Next in order of time is the proposal of John Rogers, the protomartyr of the Marian persecution, who seems to have had in view the outline of the decanal jurisdiction in his hints for *readers* and *superintendents*, as briefly recorded by Mr. Strype in his *Annals of the Reforma-*

tion :—"For lack of good ministers then to furnish the churches," writes the Annalist, "Rogers advised, and so did Bishop Hooper at the same time, that for every *ten* churches one good and learned superintendent should be appointed, which should have under him faithful *readers*, such as might be got; so that the popish priests should be clean put out. And the bishop once a year should oversee the profiting of his parishes; and if the minister did not his duty, as well in profiting himself in his book, as his parishioners in good instructions, and so to be trained by little and little, then he to be turned out, and another put in his place; and the bishop to do the like with the superintendents."

Annals of the Reformation,
Vol. I. P. I.
pp. 203, 207.

On the same ancient plebanal¹ basis, perhaps, rested the rural church-polity of the early part of the following reign of Elizabeth; when "union of cures" was extensively suggested and acted upon by the archbishop of Canterbury for supplying "deserted churches," in the then dearth of reformed clergy—"many priests going away, and departing from their benefices, and others non-resident, and many livings of so mean income, that none would take them up."

Ejus. Vol. I. P. I.
pp. 274, seqq.
Anno MDLIX.

The principal incumbent of the united cures "deputed in every parish committed to his care, under the oversight of the bishop, one able minister as *lector*, to read the service of the day with the litany and homily,"—and "to every his peculiars in course, the chief pastor resorted in circuit to preach, baptize, marry, and administer the

(¹) See this title explained in *Part III. Sect. III.* pp. 150–51, and notes there. *Plebans*, I find, to have been of more frequent occurrence in Germany than elsewhere in Europe. See *CC. Germaniæ*, passim.

eucharist," and took special care of their spiritual condition—"that the young were duly catechized by the *lector*, and that the elder and ancient folk communicated thrice in the year." Moreover, "the *head pastor* referred all matters of great import to the bishop, or his chancellor, as the case required, and was provided for by injunction."

Such was the prudent course taken in the *then* distress, says Strype, to supply the church with ministers, and to regulate her discipline in rural districts. And to this "union of cures," based in its own constitution on the archipresbyterates and plebanates of earlier days, (*see H. D. R. Part II. Sect. II. pp. 82-3. and notes there,*) I have no doubt may be attributed the non-appointment of *deans* rural properly so called;—for during the continuance of this economy we find no traces of their existence. Nor is it otherwise than probable that a second bar to the introduction of the latter officers will be found, about the same time, in the prevalence of the exercises termed *prophefying*s, and the *clerical conventions* to which they led, and which, in many of their features, approached very near to the *secular* economy of chapter-holding:—*witness*, in the church of Northampton, where these exercises were much used, it was ordered, the Annalist records, "that all ministers of the shire, once every quarter of the year, upon one month's warning given, should repair to the said town; and there, after a sermon in the church heard, to withdraw themselves into a place appointed within the said church; and there privately to confer among themselves of their manners and lives. Among whom if any be found in fault, for the first time, exhortation is made to him

Ejusd. Vol. II.
Part I. p. 133.
Anno MDLXXI.

Ejusdem, p. 136.
XVII.

among all the brethren to amend. And so likewise the second and third time, by complaint from all the brethren, he is committed unto the bishop for his correction."

But Holinshed makes these conferences more frequent — "in some places weekelie, in other once in foureteene daies, in diuerse monethlie, and elfewhere twife in a yeare." He calls them "a notable spurre unto all the ministers, thereby to applie to their bookes, which otherwise (as in times past) would give themselves to hawking, hunting, tables, cards, dice, tippling at the alehouse, shooting of matches, and other like vanities, nothing commendable in such as should be godlie and zealous stewards of the good gifts of God, faithfull distributors of his word unto the people, and diligent pastors according to their calling." See a further account of these *meetings* and *exercyses* in Strype's *Annals of the Reformation*, Vol. II. Part I. pp. 325–6., and *Appendix*, N°. XXIII. p. 494. *The Description of England*, B. II. c. I. pp. 135–6.

Judging from the *Norwich Paper* on *Deans* rural or superintendants, hereafter quoted, there appears to have been a plan projected of connecting these *prophecyings* with *decanal* conventions—the former being recommended to be placed under the management of the *Deans*, in that diocese, at the suggestion of the bishop. Whether the experiment was tried or not, is not mentioned¹. *Pro-*

Strype's *Annals*, Vol. II. Part II. *Append.* No. XXXII. p. 695.

(¹) "These prophecyings were founded on the Apostle's precept, '*For, ye may all prophesie one by one, that all may learn, and all be comforted*;' but so, as to make it out, they were fain to make use of humane prudential additions, modelling their prophecyings as followeth:—

"1. The ministers of the same precinct, by their own appointment (not strictly standing on the old division of *deantries*), met at the principal place therein.

"2. The

Fuller's *C. H.* XVI. Cent. IX. B. 1 Cor. xiv. 13.

phesyings were peremptorily suspended by Elizabeth, about the year MDLXXVII.¹

Sir Simonds
D'Ewes's *Journals of Parliament, Temp. Eliz.* p. 193.

In spite of the *union of cures, prophesyings, &c.*, church-discipline had so far sunk in the year following the last-cited provincial synod of London, that its wretched condition was thought a fit subject for parliamentary interference and correction. Indeed, ten years before, the Lord Keeper had deplored the lamentable

"2. The junior divine went first into the pulpit, and for halfe an hour, more or less (as he could with cleareness contract his meditations), treated upon a portion of Scripture, formerly by a joynt-agreement assigned unto him. After him, foure or five more, observing their seniority, successively dilated on the same text.

"3. At last, a grave divine, appointed on purpose (as father of the act), made the closing sermon, somewhat larger than the rest, praising the pains and performance of such, who best deserved it; meekly and mildly reproving the mistakes, and failings of such of those, if any were found in their sermons. Then all was ended as it was begun, with a solemn prayer; and at a public refection of those ministers together (with many of the gentry repairing unto them), the next time of their meeting was appointed, text assigned, preachers deputed, a new moderator elected, or the old one continued; and so all were dissolved."

"The exercise proved (though often long) seldom tedious; and people's attentions, though travelling farr, were little tired, because entertained with much variety."

"However, some inconveniences were seen, and more foreseen by wise (or at least suspected by fearfull) men, if these prophesies might generally take place in the land." See more *in loco*, pp. 122, seqq., and Archbishop Grindal's *Letter to Queen Elizabeth*.

Notitia Scpti
Episc. Sarum,
fol. 79.

It is an article of inquiry at Visitation by Bishop Seth Ward (*A.D.* MDCLXV.) whether the minister "appoint prophesieing exercises," (III. Ministers, No. 15.) But there is no indication of the bishop's approval or disapproval of them. Still, as they are forbidden by the Canons of MDCLIII. we must suppose the query to be inhibitory.

(¹) See Strype, Vol. II. Part I. pp. 472, seqq.; Vol. II. Part II. p. 544; Vol. III. Part I. p. 476; and *CC. M. B. et H.* Vol. IV. pp. 280, 287, 290; also

decay of all spiritual government; but, in the year MDLXXII., he came forward with a remedy in his speech, "pronounced," as Sir Simon D'Ewes reports, "by her Majesty's commandment," at the opening of Parliament, on the 8th of May.

And what was this remedy?—Sir Nicholas Bacon suggests, for the support of the discipline of the church, "the dividing every one of the dioceses, according to their greatness, into *deaneries*, as I know," says the Lord Keeper, "commonly they be; and the committing of the *deaneries* to men *well chosen*, as I think commonly they be *not*: and then the keeping of certain *ordinary courts* at their prescript times for the well executing of those laws of discipline, as they ought to be, with a sure controulment of those inferior ministers by the bishop or his chancellor, not biennially or triennially, but every year twice or thrice: which use of necessity without very great difficulty may do much in very short time to the reformation of this; the chief officers ecclesiastical all being very well, and the laws themselves being first made sufficient and perfect, which in this parliament may very well be brought to pass."

Strype's Annals,
Vol. II. Part I.
p. 184.
Anno MDLXXII.

also Gibbon's *Codex I. E. A.* Vol. I. Tit. x. cap. v. p. 253. ad Canon. LXXII. (*A.D.* MDCIII.) note, *Prophecies*; and Short's *Sketch of the Hist. of the Church of England*, Vol. I. p. 390.—" *Conventus pro concionibus, vulgò exercitia aut prophetiæ*," are expressly forbidden by the seventy-second canon. See *Cann. Ecclesiastici*, *A.D.* MDCIII.

"I know *prophesying* was subject to great abuse," says Lord Bacon, "and would be more abused now; because heat of contentions is increased: but I say the only reason of the abuse was, because there was admitted to it a *popular* auditory; and it was not contained within a private conference of ministers."

Of Church Controversies, Works,
Vol. II. p. 516.
Edit. MDCCLXXIX.

Strype's *Annals*,
Vol. II. Part. II.
p. 382.
Anno MDLXXX.

"A very remarkable" document connected with our subject, comes next to be noticed in the Cotton Library, bearing date, in the opinion of the accurate Mr. Strype, about the middle of Elizabeth's reign (*circa* *A.D.* MDLXXX). It is the proposal just now alluded to, "made by Freak bishop of Norwich, through his chancellor, to a diocesan synod, recommending rural deans, or superintendants, to inspect and take care of the diocese under the bishop; and particularly for providing monthly *prophefying*s (if it might be permitted), or sermons, in the several deanries, to be preached. At which the respective rural deans to be present, and, to prevent schisms and factions, to be moderators. And thereat likewise various busineses, respecting the abuses of bishops' courts and their offices, and inspection into the behaviour of the clergy and laity in each parish, to be transacted. It bore this title," says the Annalist of the Reformation, "*A form of government exhibited by the chancellor of Norwich.*"

Appendix, Nor-
wich Documents.

As Strype has thought it "worthy the preserving, shewing the pastoral care and diligence of this bishop in his diocese," I hope the reader will not deem it impertinent to our Appendix, notwithstanding its length. See *Annals*, V. II. P. II. Appendix, N^o. xxxii. p. 695; *Cotton Library*, Cleopatra, F. 1.

Kennet's *MS.*
MS. P. A.
Vol. II. p. 348.

In the early part of the next century, the order of rural deans was proposed by Bishop Hall, White Kennett tells us, as the best method of restoring discipline in the church. See his *Works*, Vol. III. p. 547.

Archbishop Usher's proposed modification of episcopal government, by approximating it, in some respects, to a chorepiscopal and archipresbyteral or decanal type, must

not be passed over by us, though it has not much in common with the object of our search. The plan of the Lord Primate, suggested, doubtless, with a sincere hope of preserving episcopacy by yielding in non-essentials some approach to presbytery, however condemned by the church of England as tending to the abasement of the former (and that it did so *seemingly*, is supposable, because¹ it was palatable to Baxter), was defended by its author upon the plea that such practices as were only prudential might be altered one way or other, according as the peace and order of the church, or the exigency of affairs, might require.

The Life of Usher by Dr. Parr, p. 67.
Ware's Works by Harris, Vol. I. p. 113.
Baxter's Five Disputations &c. pp. 344, seqq. Edit. MDCLIX.

According to the archbishop's proposal (which was made in MDCXLI., when the first committee on church affairs was appointed), "the clergyman, together with the churchwardens and side-men, were to compose a body for the direction of the parish. *Chorepiscopi*, or bishops rural, were to be established in every rural deanry, who should hold monthly assemblies. These were to be subjected to the power of the diocesan synod, and that to the provincial or national convocation. This system would have given the authority of a body to the discipline of the church administered by them; and the bishop or his delegate would, in each case, have been the legitimate president of the several boards²."

Short's Sketch of the History of the Church of England, Vol. II. p. 136.

(¹) The petition of the non-conformists of MDCLX. proposed that the archbishop's *Reduction of Episcopacy* should be adopted, the *bishops suffragan* or *chorepiscopi* being chosen by the presbyters.

Short's Sketch of the History of the Church of England, Vol. II. p. 225.
 Vol. II. pp. 156-7. note.

(²) Mr. Short elsewhere says upon this project, that it "would have combined many of the advantages of the episcopal and presbyterian forms of government; and probably the only hopes which we can reasonably entertain

The plan was published in a little "*Tractate*," by Dr. Bernard, preacher of Gray's-Inn, in MDCLVI., with this title—*The Reduction of Episcopacie unto the form of Synodical Government, received in the Ancient Church &c. propofed in the year MDCXLI., as an expedient for the prevention of thofe troubles, which afterwards did arife about the matter of Church Government*:—and upon its merits the editor remarks:—"If others concerned in thefe tranfactions had been of the archbifhop's moderation, humility, and meekneffe, the wound given might have been healed before it grew uncurable."—"Lopping," in Fuller's fignificant language, "might have faved the felling of epifcopacy."

The judgement of the late Arch-bifhop of Ar-magh, &c. p.153.

Church Hiftory, Cent. xvii. B. xi. p.175.

The object of the "*Tractate*" was fhortly this—to fhew how the church might fynodically be governed,

entertain of ever feeing ecclefiaftical difcipline over the clergy effectually re-eftablifhed (which God of his great mercy grant!) muft arife from adopting fomething of this fort."

"A bifhop, who was difpofed to do fo, might introduce much, without any change of the laws; for the conftitution of our parifh offices, rural Deantries, archidiaconal and epifcopal vifitations, are all founded upon a principle, which, while it made the bifhop the head and fource through which the jurifdiction of the church was derived from the throne, prefumed that much of this authority was exercifed by the united influence of the clergy themfelves, who would thus become the guardians and judges of the conduct of their brethren.

"The churchwardens and fidefmen form a fort of parifh council for the clergyman: the Dean rural was formerly the oberfett of his Deanry. The vifitations might answer the purpofes of peculiar and general afsemblies of the diocefe, while the convocation forms a national fynod. All but the laft might, to a certain degree, be eftablifhed in his own diocefe, by any bifhop who chofe it." See *Suggeftions &c. Part v. Sect. iv.*

archbishops and bishops being still retained. The plan itself is given, in full, below¹.

Substituting the superior functionary for the inferior, the *chorepiscopus* for the *archipresbyter*, the reader will at once see that the expedient, which the archbishop was pleased to call "episcopal and presbyterial government

(¹) "1. In every parish, the rector, or incumbent pastor, together with the churchwardens and side-men, may every week take notice of such as live scandalously in that congregation, who are to receive such several admonitions and reproofs as the quality of their offence shall deserve: and if by this means they cannot be reclaimed, they may be presented to the next monthly synod; and in the mean time debarred by the pastor from access unto the Lord's table."

"II. Whereas, by a statute in the twenty-sixth year of King Henry the Eighth, (revived in the first year of Queen Elizabeth,) *suffragans* are appointed to be erected in twenty-six several places in this kingdom; the number of them might very well be conformed unto the number of the several rural *deantries*, into which every diocese is subdivided; which being done, the *suffragan* supplying the place of those who, in the ancient church, were called *chorepiscopi*, might every month assemble a *synod* of all the rectors or incumbent pastors within the precinct, and, according to the major part of their voices, conclude all matters that shall be brought into debate before them."

"To this synod the rector and churchwardens might present such impenitent persons, as by admonitions and suspension from the sacrament would not be reformed; who, if they should still remain contumacious and incorrigible, the sentence of excommunication might be decreed against them by the *synod*, and accordingly be executed in the parish where they lived. Hitherto, also, all things that concerned the parochial ministers might be referred, whether they did touch their doctrine or their conversation; as also, the censure of all new opinions, heresies, and schisms, which did arise within that circuit; with liberty of appeal, if need so require, unto the diocesan synod."

Propositions III. and IV. relate to diocesan and provincial synods; which I also add, to enable the reader to contemplate the whole building at one view.—While the two former propositions exhibit the approximation

conjoined," was based upon the purest model of our rural-decanal institutions—the inspectionary duties of their superintendants—and the synodical discipline of their capitular meetings, subordinate and responsible to the diocesan and higher consistorial courts.

A form of church-government, not altogether diffi-

tion of the primate's plan of synodical church-police, in some of its most important features, to the ancient archiepiscopal of deans; the two latter shew the goodly superstructure of episcopal discipline which the wisdom of that great and learned man would have added thereto.

"III. The diocesan synod might be held, once or twice in the year, as it should be thought most convenient: therein all the suffragans, and the rest of the rectors or incumbent pastors (or a certain select number of every deanery) within the diocese, might meet; with whose consent, or the major part of them, all things might be concluded by the bishop, or superintendent (call him whether you will), or, in his absence, by one of the suffragans; whom he shall depute, in his stead, to be moderator of that assembly.

Id est Superintendentes; unde et nomen Episcopi tractum est. Hieron. Epist. 85. ad Evagrium.

"Here all matters of greater moment might be taken into consideration, and the orders of the monthly synods revised, and (if need be) reformed: and if here also any matter of difficulty could not receive a full determination, it might be referred to the next provincial or national synod.

"IV. The provincial synod might consist of all the bishops and suffragans, and such other of the clergy as should be elected out of every diocese within the province: the archbishop of either province might be the moderator of this meeting, (or, in his room, some one of the bishops appointed by him); and all matters be ordered therein by common consent, as in the former assemblies.

"This synod might be held every third year; and if the parliament do then sit (according to the Act of a triennial parliament), both the archbishops and provincial synods of the land might joyn together, and make up a national council; wherein all appeals from inferior synods might be received, all their acts examined, and all ecclesiastical constitutions, which concern the state of the church of the whole nation, established."

milar, once obtained in a fee of Ireland (before the arrival of Cardinal Paparo in the twelfth century), over which the primate himself, in his earlier days, presided, viz. Meath. The plan there adopted, antecedently to the papal legate's substitution of archpresbyteracy for chorepiscopacy, probably resembled the archbishop's suggested economy. At least, chorepiscopi occupied the situation of rural deans; and under the former were held, in all likelihood, the same rural conventions in support of church-discipline, as in later days under their successors, the archpriests.

CC. M. B. et H.
Vol. I. p. 547.

The essential difference, however, between the chorepiscopus or suffragan of the deanry of Usher, and the archpresbyter of ancient and modern days, was this, that the former had the power of ordination—a power nowhere granted away from him, his diocesan, and metropolitan, in Usher's project. Nor can I believe that it ever was the primate's design or intention, in the least, to use the language of his biographer, to rob the bishops of any of those just rights, which are essentially necessary to their order and constitution, or to abase episcopacy into presbytery. Still, "some of the church of England have been pleased," says Dr. Parr, "to judge very hardly of this proposal of the archbishop; as if it too much debased the episcopal order, and levelled it with that of presbyters." Against such insinuations the good chaplain of the Irish metropolitan ably defends his posthumous fame.

Parr's *Life of Usher*, p. 67.

But upon¹ the proposal itself, the remark of Dr. Brett

(¹) The subject here handled by Usher has some light thrown upon it by Bingham, in his *Ecclesiastical Antiquities*, B. IX. c. VIII. "*The Conclusion*"

*An Account of
Church Govern-
ment and Go-
vernours, p. 162.*

is judicious—that, “though not improper as times were then, yet it may not be so expedient in itself, being without any primitive precedent:—for we never read of any thing less than a diocesan synod, or an episcopal chapter, or college, in the ancient church; and sure we ought to deviate as little as possible from the primitive church, except in cases of necessity, as the good archbishop thought this to be, when he wrote his treatise.”

It is here adduced neither in praise nor blame (let the reader remember), but only as a parallel; of which I received the first notice from a ~~Ms.~~ note of Bishop Kennett, in his *P. A.* The *Tractate* itself is of the *greatest* rarity; which will be a sufficient apology, I hope, to those whom such subjects interest, for the length of the extracts given.

*Addenda to
Parochial Anti-
quities, by Ben-
dinet, Vol. II.
p. 358.*

From a manuscript letter of White Kennett's, dated Amersden, Nov. 7, MDCXCIX., and addressed to Dr. James Gardiner, bishop of Lincoln, the following extract is adduced. It throws out many hints for improving the constitutional powers and extending the ordinary duties of rural deans, too important to be passed over. Upon the ancient mode of commissioning these officers I have already had occasion to cite the earlier parts of this letter; and shall here merely transcribe the admirable suggestions of the Vicar of Ambrosden for rendering the ~~decanal~~ functions more efficacious in support of church-discipline, “without any pretended invasion” of archidiaconal or other privileges in the diocese of Lincoln.

*See S. D. R.
Part. III. § II.
pp. 130, seqq.*

clufion”—“Wherein is proposed an easy and honourable method for establishing a primitive diocesan episcopacy, (conformable to the model of the smaller sort of ancient dioceses) in all the protestant churches.”

Some of these suggestions have before appeared, in the *Convocational Proceedings* under Queen Anne; where, probably, they originated with Dr. Kennett. The autograph letter is in the Bodleian Library. The writer recommends the bishop of Lincoln—

“ 1. To have the mandates for induction into parochial churches allwaie directed, as of old, to the rural dean.

“ 2. To have commissions, *de jure patronatus*, dilapidations &c., executed by the rural dean and some assistants.

“ 3. To let the sentences of excommunication and absolution be denounced more especially by rural deans, &c.

“ 4. To call in some of the gravest and nearest rural deans to examine and assist at your ordinations.

“ 5. To require candidates for holy orders, if they have lately resided within your diocese, to bring a certificate from the rural dean and his neighbouring brethren.

“ 6. To license no curate or schoolmaster, within your diocese, without a certificate from the rural dean, of the person, the place, the salary, the duties &c.

“ 7. To institute no clerk without a like account from the dean, of the vacancie, the true patron, the reputation of the presentee, &c.

“ 8. To require your deans to give you occasional notice of all irregularities within their district; and at the end of each year to send you the state of religion, as the suffragans were once most prudentially obliged to inform their metropolitan, and he the king.

“ And, to omit many other things for which your lordship has sufficient authority, and which would not be invidious to the deans, nor injurious to any others;—

“ Lastly, to provide that the meetings of the clergy, which are lately encouraged for the reformation of manners, should be under the inspection and presidency of each rural dean. For, my lord, with all submission, if that popular practice goes on in Bedfordshire, &c., it will be soon necessary for your lordship to interpose your judgment and authority in advising and directing those conventions; or else that new project, however specious and laudable in itself, will, by the malice of enemies, or the indiscretion of friends, turn, I fear, to the prejudice of the church and the growth of faction. . . . ”

*Account of
Church Govern-
ment and Go-
vernours, c. x.
p. 189.*

“ I cannot but think it would do well,” says Dr. Brett, “ if my lords the bishops thought fit¹ to divide their burthens: if they would but appoint an archpresbyter in every deanry (for all our diocesses are divided into such), they might lessen their care by it, and the whole church of England might be the better for it. Would they constitute some grave divine in every division, to be a rural dean², not for a year, but *quamdiu se benè gesserit*,

*Epist. Venerab.
Bedæ ad Ecg-
bert. Antist.
p. 308. l. 18.
Edit. Smith.
Ecclef. Courts'
Report, p. 50.*

(¹) “ *Quis non videat quânto fit melius tam enorme pondus ecclesiastici regiminis in plures, qui hoc dispersitum facilius ferant, dividi, quàm unum sub fasce quem portare non possit opprimi.* ” (EDITOR.)

(²) The *Ecclesiastical Commission* (A.D. MDCCCXXXII.) *Report*, in its suggestions relative to the alterations of existing laws touching property in church-pews, proposes, “ That a commission shall issue in each diocese, directed to the archdeacon or archdeacons, or one or more of the rural deans, requiring them, in conjunction with two other individuals, to make a full investigation as to the pews and seats claimed to be held in each parish-church or chapel by faculty or prescription; that where such claims shall be established to the satisfaction of the commissioners, a record of the same, to be kept in the registry of the diocese, shall be made.”

The *Report* further recommends that the commissioners be invested with

he might visit all the churches, and parsonage, and vicarage-houses in his deanry once a year (which a bishop and archdeacon cannot do in many), and observe in what repair they are kept; and where he finds any thing amiss, give orders to have it rectified; and, if it be not done in some reasonable time, then have power to impose some light censure on the offenders; and if that prove insufficient, then acquaint the superior ordinary with it, that further care may be taken. Whereas this matter being left now altogether to the minister and churchwardens, they favour one another; and by this means many churches are ready to fall down, and the parsonage and vicarage-houses become exceedingly dilapidated¹; and the parson or vicar dying insolvent, the next incumbent gets a view of the house, proves himself not to be the dilapidator; this is entered upon record in the spiritual court; and then the house drops down, and nobody is obliged to build it again."

See Bishop
Marsh's Charge,
MDCCCXIII.

with full power to determine all cases of disputed right in pews not held by faculty or prescription, as the course most effectual for their speedy decision.

"We find in parochial visitations," says Chancellor Martin of the diocese of Exeter, "that great difficulties arise not only in compelling ordinary repairs at the parish charge, but still greater sometimes in compelling the repair of aisles, chancels, or prescriptive or faculty pews, the property of individuals.—As a remedy for all these evils, I would suggest that the archdeacons should be enabled to order summarily, on inspection, or report of the dean rural, all repairs of churches; and if resisted, should have power to name the dean rural, or some other person, to prosecute, at the parish charge, either in the archdeacon's or consistorial court."

*Ecclesiastical
Courts' Report,*
MDCCCXXIII.
p. 96.

(1) There is at present no security for the proper expenditure of money received for *dilapidations*. 'I would therefore propose that every person

See *Ecclesiastical
Courts' Report,*
MDCCCXXIII.
pp. 136, 222.

“This dean might be empowered to admonish any of his clergy which live disorderly, first by himself alone, and then in the presence of two or three of his brethren; and then, if there be no amendment after the third admonition, to suspend him *ab officio*, for a month; and if that prove ineffectual, then to acquaint the bishop or archdeacon with the matter, that some further course may be taken. He might also have power to call the clergy of his deanry, once a quarter, to a visitation; where, after a sermon preached, they should confer of what concerns their ministry, and the occasions of their parishes. And he might likewise be the person to be consulted with, when any one of riper years is to be baptized. Thus would the offices both of bishop and archdeacon be very much eased, if these rural deans might divide the burthen with them. I am sure, for want of these, many things are left undone which ought to be done. The *decretal* therefore strictly enjoins every bishop to have his archpresbyters, and says, ‘Altho’ the bishop be never so well qualified for his office, yet he ought to divide his burthens. And that as he presides in the mother church, so should the archpresbyters in their several pre-

Decret. Gregor.
L. I. Tit. XXIV.
c. ult.

person who has received such should produce a certificate, within two years (the time allowed by law), that it has been duly expended upon the repairs;—and to this certificate the signature of the dean rural of the district should be attached, upon the evidence of a *diocesan* surveyor, who should be appointed for all such purposes, with a view to *local* knowledge.

The expence of taking *faculties*, to authorize alterations, erecting ornaments, &c. in churches, is sometimes made a difficulty:—Would it not be beneficial to substitute an order, under the hand of the rural dean, countersigned by the archdeacon or bishop, and filed in the register?

cincts, that the ecclesiastical care may be faulty in nothing.' ”

From Bishop Secker's *Fifth Charge*, delivered to the clergy of the diocese of Oxford, *A.D.* MDCCLIII., I cite the following eulogy of the rural-decanal office. Every thing from his pen is worthy of transcription.

*Secker's
Charges, &c.
pp. 185, seqq.
Fifth Charge.*

“Another very useful institution, for these and many valuable purposes, was that of rural deans: which took place here before the Conquest; was kept up till the great rebellion; was restored afterwards in several dioceses, and particularly in this, by the admirable Bishop Fell; was found not quite extinct; and was completely revived by the late excellent bishop of Gloucester (Benfon) in that county; and is preserved to this day in some parts of the nation besides.”

“These deans being chosen out of the resident parochial clergy, could inspect, with small trouble, the churches and parishes within their several narrow districts; and being bound to report what they found amiss, could do it with little or no offence. In the latter end of Queen Anne's, and the beginning of the late king's reign, the Convocation made some progress towards the re-establishment and better regulation of this office. When that, or any other branch of discipline, may be the subject of public consideration again, is very uncertain. I should be very glad, with your approbation, to set it up once more amongst us, in such form as might be most beneficial and satisfactory: but contented, at present, with hinting the matter, I leave and recommend it to your serious thoughts.”

Eminent prelates in other sees, says Archdeacon Bayley, have never ceased to express the same regret of

*Charge to the
Clergy of the
Archdeaconry,
of Stow,
MDCCCXXVI. p. 7.*

the want of rural deans, with partial effect indeed, but with increasing importunity, to the present hour. See the Bishop of Ossory's *Charge* (Dr. O'Beirne) *to the Clergy of his Diocese, at his Primary Visitation in* MDCCXCV. (*Sermons and Charges*, Vol. I. p. 229, and note): and for the opinions of many living diocesans, see the *Appendix of Documents*, Part II.

SECTION IV.

CONCLUSION.

IT has been attempted, in the second part of the preceding notes and extracts, to shew that the functionary, whom we now call a dean rural, is of high antiquity in the Christian church—his archetype being to be found in records of the fourth century :—to point out the particular circumstances of his institution in the synod of Laodicea (*A.D.* CCCLXIV.)—where, as a parochial visitor, under the title of ΠΕΡΙΟΔΕΥΤΗΣ, he supplanted the previous helpmate of the urban bishop, the ΧΩΡΕΜΕΣΚΟΠΟΣ :—and, lastly, to declare the identity of his office under the changeable appellations of ΕΞΑΡΧΟΣ, ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ, ΠΡΩΤΟΪΕΡΕΥΣ, and ΠΡΩΤΟΠΑΠΑΣ.

See S. D. R. Part II. § 1. pp. 32, seqq. and Notes to Dr. Prizant's Brief Account.

From Asia Minor, an endeavour has been made (with what success the reader will decide) to trace the office into Western Europe, in the persons of the bican arch-presbyter of the church of Tours, and the bicanous visitor of Saint Gregory's diocese. And many pages have been devoted to the obscure history of the primary *decanus* *episcopi* of the British Isles—his apparent origin, and early functions in our *then* newly-created *deanries*. What those functions were in Ante-Norman England, and for a period of nearly five centuries after the Conquest, during the full exercise of the rural-decanal government, it is unnecessary to recapitulate.

S. D. R. Part II. § 1. pp. 40, 41, 47. Part I. § II. p. 14.

But it is worth remembering, as of interest to ourselves, and of importance to the prescriptive claims of the office (if ever again to be acknowledged in its integrity), that almost all the duties performed by the Oriental *bisitors*, under the successive titles of *circumcursators*, *exarchs*, *protopriests*, and *protopopes* in the Greek church, and by the Occidental *bisitors*, under those of *archpriests-bican* and *deans rural* in the Latin church, were concentrated during the period adverted to (that is, from the Conquest to the Reformation), in the *presidents* of the *deantries* of Great Britain. How numerous and important those duties were, the foregoing sheets abundantly testify. And, while we reflect thereon, and contrast the present deteriorated condition of the office—the almost entire loss of all that can be called jurisdiction, both *personal* and *capitular* (the latter is utterly gone), from the date of the Reformation to the present time, and only *here* and *there* a partial effort made to restore the former and none to restore the latter, we cannot but express our sorrow and astonishment that the church of England should have been so long left destitute (for want of some *general* legislative enactment) of such a valuable institution as *rural deans* and *chapters*—so ancillary to her episcopal government, and incorporated with the very essentials of her rural church-regime. See my suggestions for the re-organization of *ruri-deanatal associations*, in *Part v. Sect. iv.*

For three centuries, it must be confessed, our larger dioceses have been suffering from the lack of *local ordinaries*, and of that most useful exercise of discipline¹,

(¹) The writer refers *particularly* to his remarks under the head of *Parochial Visitation*, in *Part iv. Sect. 11.*, and *Sect. v. chap. vii. § 6*; also

parochial visitation; which none but rural deans can effectually supply. With Atterbury, then¹, we cannot but deplore the decay of their excellent, canonical office—"which contributed so much to support and enliven the discipline of the church in by-gone days, and might

also to Archdeacon Goddard's *Evidence before the Ecclesiastical Courts' Commissioners*, quoted in the *Appendix, Lincoln Documents*; and to Bishop Marth's *Charge, Peterborough Documents*—for proofs of the necessity of *parochial visitation* by deans rural.

(¹) Such admonitory expressions of regret at the non-existence of deans rural in some dioceses, and comparative inefficiency, or much-impaired usefulness in others (for want of an improved code of church-discipline to regulate the constitution of the office in general—to give it more of a legal existence—and establish it on a more uniform system), would be more likely, perhaps, to produce the desired effect of an universal revival and efficient distribution of these local ordinaries throughout the dioceses of Great Britain and Ireland, if I were here, with all deference, to submit to the attention of the hierarchy, whose business alone it is to regulate their subordinate church-police, such points, collectively, in the ancient economy of the office, its appointment, and functions (scattered through the preceding pages), as would tend most materially to improve its present constitution, and augment its influence and utility. But, in truth, these pages have already been extended so far beyond what I ever contemplated, and the *Appendix* is so much more copious than I expected, that, instead of a *synoptical view* of the improvements of which the rural-deanery machinery is, in my humble judgment, capable, I must refer the reader, in general terms, to the several heads or titles of the foregoing work, under which he will find enrolled what few experimental suggestions my researches have furnished towards the reformation of the office, in constitution and practice. And particularly, I would point his attention to the suggestions of the *Convocation* under Queen Anne, and to those of Dr. White Kennett addressed to Bishop Gardiner, not long ago quoted in detail. The *Instructions* of some existing prelates to their deans rural, it must be granted, go far to improve the utility of the office; and will, I hope, attract the notice of others, where it is ill-sustained or unknown.

Atterbury's
Charge to the
Clergy of Tot-
ness, A.D.
MDCCVIII.

be of equal use again, if the powers heretofore annexed to it were duly revived and executed."

"In matters of public government" (I agree with the archdeacon of Totness, and would that in after-life he had practised what he taught!) "it is the business of private persons to make the best use they can of the present state of things, without endeavouring to disturb it by new models and schemes, which they think may be of more service¹. But when a main branch of our ancient ecclesiastical constitution hath been dropped by a gradual disuse, no man's modesty needs restrain him from interposing, towards a revival of it. And that is the case of rural deans and chapters; which is no new-fangled device, but an institution of venerable age, by long experience approved, and practised with greater influence and success in this than in any other part of Christendom. We are sure, therefore, that² it is well adapted to our constitution, and would be so far from

(¹) "There is no surer way to reform wisely," says Bishop Gibson in the *Preface* to his *Codex I. E. A.* p. xv., "and to render reformatations of all kinds unexceptionable and inoffensive, than the restoring of ancient discipline (which has been lost by disuse) where it appears to be for the benefit of the church." (EDITOR.)

A Humble Pro-
posal for Para-
chial Reforma-
tion, &c. p. 42.

(²) We need not fear, in the words of an anonymous Lincolnshire presbyter, "that such deans and chapters will be found contrariant to the law, or repugnant to royal authority; seeing that very certificate of all the judges of England, made in answer to the question of the Lords of the Star-Chamber, about the lawfulness of church proceedings and visitations, resolves, 'that bishops, archdeacons, and other ecclesiastical persons, may keep their visitations as usually they have done, without commission under the great seal so to do!' Nor ought they to do any thing but what the diocesan himself may do; for they act by his power, and in his stead. So that if their meeting be unlawful, acting regularly under him, his power would be also unlawful."

interfering, that it would fall-in with the other parts of it, and even contribute to support and strengthen them; and enable those who in an higher sphere hold the reins of ecclesiastical discipline (too long and too much slackened) to guide them to better advantages than they do, or can do at present."

"Some favourable juncture may arise, when our superiors in church and state shall lay these matters to heart, and think them worthy of their most serious and wise consideration. And sure I am, that, if ever a re-establishment of church-discipline in its vigour be sincerely intended, one, and a chief, method of promoting it must be by a restoration of rural deans and chapters, to the full extent of their ancient powers."

See Archdeacon Bayley's Charge to the Clergy of Stow, MDCCCXXVI. p. 7.

So spake Dr. Atterbury to the clergy of the archdeaconry of Totness, in the early part of the last century¹. And a nameless contemporary, equally anxious for "the ancient way of deans and chapters being restored in each deanary of this nation," "humbly requests the favour of

A Humble Proposal for Parochial Reformation, &c. chap. XIX. p. 119.

(¹) This author of *A Humble Proposal for Parochial Reformation by restoring rural deans and chapters, according to the Ancient Way of the Church*, thus combats supposed objections to his plea on the pretext of the impaired utility of the institution during the latter period of its existence:—"But some may say, that Christian discipline declined in the latter times of these deans and chapters. Be it so; for there was a general decay of zeal, whose bellows were not used to blow off the dead ashes: yet it never quite sunk, till Otho's fatal canon, that ordered archdeacons to sit in those chapters. And the Roman indulgences, purchasable in open market, by the *taxa Camera Apostolicæ*, and sometimes vended by missionaries at half the rate, and often men's sins discharged for visiting some altar, that the Pope indulged, did much hinder the chapter's diligence, and the people's repentance, which were baffled by such pardons. But these things are now in the grave." *See more in loco.*

the sacred *Convocation* to weigh the concern, and examine the truth of this matter—Whether the discipline of the church be not decayed, for want of proper instruments to carry it home to the consciences of all our people?—Whether a parochial incumbent standing alone, be not too weak to controul the crimes of parishioners?—Whether every incumbent can be thought sufficient to affoil every difficulty that can come before him?—Whether rich parishioners are not apt to condemn their poor vicar?—Whether there needs not some gentle method to apply to, in some differences between a minister and his contending neighbour, without running to citations and allegations?—Whether an archdeacon that lives thirty, forty, or fifty miles off can be the eye of his diocesan to look into every *Deanary*? or can cure all its sores by visiting in some one place one day in six months?—Whether an apparitor be the only face fit to be shewn to the people?—Whether a diocesan's wife and holy consults for his people's good can be best represented by a surly proctor?—Tho' a diocesan be, of our Lord's appointment, an overseer of his diocese, yet whether he can look¹ into all places without many other eyes besides his own?—Whether his courts and compulsories should not be his last remedy, after milder ways used by such *Deans* and *Chapters*, before the matter comes to a paroxysm?—Whether episcopal admonition and

Ejusd. p. 16.
See also pp. 26,
27.

(¹) "People, with good looking to, may be kept right in their way: but if the bishop live forty miles from them, and the archdeacons twenty, then optics fail; so that the people see not them, nor they the people. But these *Deans* and *Chapters*, living always among them, will be able, and ready to supply the needs of the church, in the kindest methods to the people."

correction are not better applied by neighbour ministers than profane strangers?"

Let us, then, join our fervent wishes with the expressed recommendations of these good and learned men, now no more, for the restoration of such efficient instruments of spiritual government. Let us earnestly hope that¹ local ordinaries, aided by local chapters, may be generally instituted throughout the dioceses of Great Britain and Ireland. In far too many, deans rural are altogether wanting; and where existing, they need more of a formal and legitimate establishment, amplified powers, and acknowledged authority. In all, the spiritual ruler of the deanery is unassisted by his primitive and useful adjunct—the rural chapter—so well fitted (as we have elsewhere said, but cannot too often repeat) to keep up order and uniformity, and to cultivate a good correspondence among the neighbouring clergy; to arm them against common dangers and difficulties; and enable them every way to promote the interest of religion and virtue, and the good of souls committed to their charge. (See Part v. Sect. iv. *Suggestions for the re-organization of rural-deanery associations*; and Part vi. Sect. iii., Sir N. Bacon's *Speech* from D'Ewes's *Journals*.)

Atterbury's
Charge to the
Clergy of Tot-
ness, A.D.
MDCCVIII.

Let us join in common wishes for the attainment of

(¹) The writer is happy to notify, that deans rural have been established in the dioceses of Canterbury, London, and Worcester, since he published Dr. Priaulx's little Tract on the subject, in the spring of MDCCCXXXII. If the present publication should be instrumental to their appointment in other large dioceses, by directing the attention of the diocesans to the utility of the office, he will be amply remunerated for the labour and expence of this compilation.

this common object¹; and let not those, who are invested with the duties of the office, forget, in the mean while, to exert the *personal* powers of which, under their respective dioceses, they are still, by delegation, indubitably possessed. The office² of Dean rural is still a grave trust, as it carries with it the inspection of the morals and ministrations of the clergy, and the care of the church fabric and utensils;—not³ merely sustaining, or seeing sustained, in becoming repair, the structures consecrated to divine worship, and preserving all things relating to the services of the altar, the desk, and the pulpit, decent and clean, but supporting these monuments

*Charge to the
Clergy of Tot-
ness, A.D.
MDCCIII.*

(¹) The more obstructions we find towards exerting the *synodical* power of the church, the more reason we have to make *inferior* jurisdictions useful; and to do all that we can, in our several places and stations, to preserve the poor remains of church-discipline we enjoy, in their due life and vigour; since we are not *as yet* likely either to retrieve what is lost, or enforce what is left, by new sanctions;—a work which deserves the best wishes and assistances of every man who has regard for the interest of religion, and for the honour and authority of the church of England.

*Thomassin, V. et
N. E. D. Part I.
L. II. c. III.
p. 222.*

“Nec nos hic extimulare debet, aut accendere, honoris privati cupiditas, sed ordinis, pacisque, et legum flagrantissimus amor, quinimodò et officii ratio ac necessitas, ut dignitatem quæ induti sumus, juribus honoribusque suis non finamus exui; sed qualem quantamque accepimus, transmittamus successoribus.”

*Jur. Eccles. Unio.
P. I. Tit. VI.
cap. III. p. 30.*

(²) “*Hinc apparet,*” says Van Espen, after a long enumeration of archiepiscopal duties, “*officium archiepiscopale gravius sanè esse, quàm vulgò apprehenditur; atque ad illud non esse assumendos, nisi qui zelo, et pietate pastoribus præeant, ac eâ doctrinâ sint et eruditione, qui et pastoribus consilia, et salutaria monita dare possint; et exactè ac prudenter defectus parochiarum observare, et ad episcopum referre.*”

(³) The following Letter, addressed to the Deans of Christianity of the diocese of Ipres (A.D. MDCLXVIII.), by Bishop F. I. Hubert de Wavrans, will not be unacceptable to my brother rural Deans, as an admonitory

canon

of ancient piety, in their original beauty and magnificence, left "the face of religion be vilified, while it be kept up." These particulars are expressly included in the *decanal oath*, wherever it obtains—are pointedly set forth in the *written commission*—or implied in the *act of appointment*; the conscientious fulfilment of which is a matter of great consequence to all who undertake the ancient, honourable, and useful charge of **ARCHDEAN**.

Bishop Butler's
Charge at
Durham.

canon of particular duties.—The diocesan charges the deans, "*Ut nimirum cum omni sollicitudine ecclesiarum nitorem et ornatum procurare et augere studeant, nihilque in eis patiantur, quod domum DEI, et locum habitationis gloriæ ejus dedeceat . . . — . Cum verò pleraque ex illis, quæ ad munditiem nitoremque ecclesiarum pertinent, custodibus incumbant, eos sæpius monebunt decani et instruent in iis, quæ sui sunt muneris in hac parte; illos hortando, ut ea omnia religiosè impleant, curentque præcipuè, ut sacram suppellectilem sibi concreditam, mundam, nitidam, et benè compositam habeant, ac quæque suo loco indies deponant . . . — . Denique, cum cæmeteria sint loca benedicta, in quibus Christi fideles in spem resurrectionis quiescunt, et eatenus, ut ad ipsas ecclesias proximè spectantia considerari debeant; eorum quoque et meritò magna ratio habenda est. Curent itaque decani, ut quidquid horum locorum sanctitatem dedecet, sollicitè amoveatur; eaque muris, fossis, aut sepibus, ubi ullâ ratione fieri poterit, ita concludantur, ut equis, vaccis, porcis, ovis, aliisque similibus animalibus majoribus et immundis nullus ad ea pateat ingressus.*" This pastoral letter and instructions of the bishop of Ipres I had not seen, when my observations on the due conservation of churchyards were written (*see* Vol. I. p. 327–8), or I should have there adduced them in support of my remarks.

APPENDIX.

VOL. II.

O

Appendix
OF
Documents, Ancient and Modern,
COMPRISING
Formulae of Appointment, Synodical and Episcopal Instructions,
AND OTHER
Documents illustrative of the Office of Dean Rural.

PART I.
Continental Documents.

France.

- SECT. I. Diocese of Arras.**
II. . . . Avranches.
III. . . . Besançon.
IV. . . . Contances.
V. . . . Melun.
VI. . . . Metz.
VII. . . . Rheims.
VIII. . . . Rouen.
IX. . . . Saint Omer.
X. . . . Seez.
XI. . . . Verdun.

Netherlands.

- SECT. I. Diocese of Bois-le-Duc.**
II. . . . Bruges.
III. . . . Ghent.
IV. . . . Ruremond.
V. . . . Tournay.
VI. . . . Ypres.

Germany.

- SECT. I. Diocese of Augsburg.**
II. . . . Basle.

SECT. III. Diocese of Brixen.

- IV. . . . Cologne.
V. . . . Constance.
VI. . . . Eichstadt.
VII. . . . Freysingen.
VIII. . . . Osnaburg.
IX. . . . Prague.
X. . . . Ratisbon.
XI. . . . Triers.
XII. . . . Worms.

Prussia.

- SECT. L Diocese of Culm.**

Switzerland.

- SECT. I. Diocese of Sitten.**

Italy.

- SECT. I. Diocese of Acqui.**

Russia.

- SECT. I. Diocese of Moscow & Kaluga.**
II. Lutheran Church of Russia.

PART II.

English Documents.

SECT. I. Diocese of Canterbury.

II. . . .	York.
III. . . .	London.
IV. . . .	Durham.
V. . . .	Winchester.
VI. . . .	Bangor.
VII. . . .	Bath and Wells.
VIII. . . .	Bristol.
IX. . . .	Carlisle.
X. . . .	Chester.
XI. . . .	Chichester.
XII. . . .	Ely.
XIII. . . .	Exeter.
XIV. . . .	Gloucester.

SECT. XV. Diocese of Hereford.

XVI. . . .	Lichfield & Coventry.
XVII. . . .	Lincoln.
XVIII. . . .	Llandaff.
XIX. . . .	Norwich.
XX. . . .	Oxford.
XXI. . . .	Peterborough.
XXII. . . .	Rochester.
XXIII. . . .	Saint Asaph.
XXIV. . . .	Saint David's.
XXV. . . .	Salisbury.
XXVI. . . .	Worcester.
XXVII. . . .	Sodor and Man.

PART III.

Scotch Documents.

PART IV.

Irish Documents.

AS some of my readers may not happen to possess Bishop Beveridge's *Synodicon*, and yet be desirous of referring to it for the glosses of the Laodicean Canon, so often adverted to in the course of the preceding work, I venture to re-affix, by way of motto to this Appendix (for it has appeared already on the title-page), that important provincial decree of the Asiatic Fathers, which is supposed to have originated the office of dean rural in the Christian Church.

The canon in question—the fifty-seventh of the Synod of Laodicea in Phrygia Pacatiana—(confirmed by the œcumenic council of Chalcedon) appoints *Presbyteral Itinerants*, or *Visitors* of the country, instead of *Bishops*. It is here again brought

forward, for the sake of placing in juxtaposition with the original law the entire glosses and annotations of Balsamon, Zonaras, Aristenus, and Beveridge; and so presenting to the reader a synoptical view of all the documentary illustrations of the office of Dean rural, ab antiquo, which curiosity can require, and industry supply.

ΚΑΝΟΝΕΣ ΤΗΣ ΕΝ ΛΑΟΔΙΚΕΙΑ ΠΑΚΑΤΙΑΝΗΣ ΦΥΡΤΙΑΣ ΣΥΓΚΡΟΤΗΘΕΙΣΗΣ
ΣΥΝΟΔΟΥ ΕΚ ΔΙΑΦΟΡΩΝ ΕΠΑΡΧΙΩΝ ΤΗΣ ΑΣΙΑΝΗΣ.*

ΚΑΝΩΝ 5'.

ΟΥ ΔΕΙ ΕΝ ΤΑΙΣ ΚΩΜΑΙΣ ΚΑΙ ΕΝ ΤΑΙΣ ΧΩΡΑΙΣ ΚΑΘΙΣΤΑΣΘΑΙ ΕΠΙΣΚΟΠΟΥΣ, ΑΛΛΑ ΠΕΡΙΟΔΕΥΤΑΣ· ΤΟΥΣ ΜΕΝΤΟΙ ΗΔΗ ΠΡΟΚΑΤΑΣΤΑΘΕΝΤΑΣ, ΜΗΔΕΝ ΠΡΑΤΤΕΙΝ ΑΝΕΥ ΓΝΩΜΗΣ ΤΟΥ ΕΠΙΣΚΟΠΟΥ ΤΟΥ ΕΝ Τῇ ΠΟΛΕΙ. ΩΣΑΥΤΩΣ ΔΕ ΚΑΙ ΤΟΥΣ ΠΡΕΣΒΥΤΕΡΟΥΣ ΜΗΔΕΝ ΠΡΑΤΤΕΙΝ ΑΝΕΥ ΤΗΣ ΓΝΩΜΗΣ ΤΟΥ ΕΠΙΣΚΟΠΟΥ.

ΣΧΟΛΙΑ.

ΒΑΣΙΛΑΜΩΝ. Ἄλλοι μὲν κανόνες ἐν ταῖς κώμαις καὶ ἐν τοῖς χωρίοις ΧΩΡΕΠΙΣΚΟΠΟΥΣ καὶ πρεσβυτέρους καθίστασθαι διαρίσαντο. ὁ δὲ παρὼν κανὼν ΠΕΡΙΟΔΕΥΤΑΣ παρακελεύεται γίνεσθαι, καὶ μὴ ἐπισκόπους, ἵνα μὴ γένηται εὐκαταφρόνητος ἡ ἀρχιερωσύνη, ὥς μὴ ἐχούσης τῆς χώρας ἐν ἣ ἐχειροτονήθη ὁ ἐπίσκοπος, πλήθος ἀνθρώπων εἰς τιμὴν τοῦ Θεοῦ καὶ τῆς ἀρχιερωσύνης. εἰ δὲ τινές, φησι, πρὸ τοῦ κανόνος κατεστάθησαν ἐν ταῖς τοιοῦτοις τόποις ἐπίσκοποι, μὴ ἐκβληθήτωσαν, ἀλλ' ἑστῶσαν ἐνεργούντες τὰ πάντα μετὰ εἰδήσεως τοῦ χειροτονήσαντος αὐτοὺς μετροπολίτου. ἀλλὰ καὶ οἱ πρεσβύτεροί, φησι, μηδὲν ἀνευ γνώμης τοῦ ἐπισκόπου πραττέτωσαν. ταῦτα τοῦ κανόνος διοριζόμενου, εἶποι τις τῆς ἐννοίας τούτου καταστοχαζόμενος, ὥς ἐπεὶ ἀτιμία τοῦ Θεοῦ καὶ τῆς ἀρχιερωσύνης ἐστὶ τὸ προϊστασθαι τὸν ἐπίσκοπον λαοῦ ὀλίγου, κἀντεῦθεν εἶναι εὐκαταφρόνητον· πολλῶν πλείον οὐκ ἔσται πρὸς τιμὴν τοῦ Θεοῦ τὸ περὶ βαδίζειν ἀρχιερέα διὰ πενίαν καὶ στερεῖσθαι τῶν ἀναγκαίων. ὁθεν τὸ ψηφίζεσθαι ἐπισκόπους εἰς ἐκκλησίας ἀνατολικὰς, εἰς ἃς μέτριοι πάνυ εὐρίσκονται Χριστιανοί, οὐκ ἀσφαλές. ΠΕΡΙΟΔΕΥΤΑΙ δὲ εἰσιν οἱ σήμερον προβαλλόμενοι παρὰ τῶν ἐπισκόπων ΕΞΑΡΧΟΙ. οὗτοι γὰρ περιοδεύουσι καὶ ἐπιτηροῦσι τὰ ψυχικὰ σφάλματα, καὶ καταρτίζουσι τοὺς πιστοὺς· ἀνάγνωθι καὶ τὸν 5'. κανόνα τῆς ἐν Σαρδικῇ συνόδου.

* Such is the epigraph of this council, in the Bishop of Saint Asaph's *Pandectar Canonum*; but, in Hartman and Ruelius's *CC. Illustrata*, it is ("ex prisca synodi inscriptione")—ΚΑΝΟΝΕΣ ΤΩΝ ΕΝ ΛΑΟΔΙΚΕΙΑ ΤΗΣ ΦΥΡΤΙΑΣ ΣΥΝΕΛΕΘΟΝΤΩΝ ΑΓΙΩΝ ΚΑΙ ΜΑΚΑΡΙΩΝ ΠΑΤΕΡΩΝ. Tom. III. p. 274. Hartman appears, from his annexed note, to have disapproved of the creation of delegate Visitors:—"Jam tum igitur episcopi officium episcopale in gradum dignitatis et in imperium convertire: dum visitationis laborem in alios rejece- runt, dignitatem et proventus sibi applicarunt. Et jam tum puduit episcopos in pago residere. Haec laudare non possum."

ΖΩΝΑΡΑΣ. Τὸ ἀρχιερατικὸν ἀξίωμα ἐντιμὸν ἐστὶ· τὸ δὲ ἐν κόμῃ, ἢ ἐν χώρῃ, ἔνθα μὴ πόλις ἐστὶ μὴδὲ πλῆθος ἀνθρώπων, γίνεσθαι ἐπισκόπους, καταφρόνητον τὴν ἀρχιερωσύνην ποιεῖ. διὸ καὶ ὁ κανὼν οὗτος καλῶς τοῦτο, ὃ καὶ ὁ ἔκτος κανὼν τῆς ἐν Σαρδικῇ συνόδου διατάξατο· γίνεσθαι δὲ ΠΕΡΙΟΔΕΥΤΑΣ ἐν κόμας καὶ χώρας, διακελεύεται. ΠΕΡΙΟΔΕΥΤΑΙ δὲ λέγονται, διὸ τὸ περιέρχεσθαι καὶ καταρτίζειν τοὺς πιστοὺς, μὴ ἔχοντες καθέδραν οἰκίας. εἰ δὲ τις, φησι, πρὸ τοῦ κανόνος κατεστάθηναι ἐν τοῖς τοιούτοις τόποις ἐπίσκοποι, μηδὲν πραττέωσαν ἄνευ γνώμης τοῦ ἐπισκόπου τῆς πόλεως, δι' οὗ ἐχειροτονήθησαν. καὶ οἱ πρεσβύτεροι δέ, φασι, μηδὲν ἄνευ γνώμης τοῦ ἐπισκόπου πραττέωσαν.

ΑΡΙΣΤΕΝΟΣ. Εἰς κόμην, ἢ εἰς χωρίον ἐπίσκοπος οὐ καθίσταται, ἀλλὰ ΠΕΡΙΟΔΕΥΤΗΣ· εἰ δὲ τις κατέστη, μή τι διοικεῖται, τοῦ ἐπισκόπου δίχα τῆς πόλεως.

Ἐν κόμῃ τινί, ἢ καὶ βραχεῖα πόλει, ἐν ἣ καὶ εἰς πρεσβύτερος ἐπαρκεῖ, οὐκ ἀναγκαῖον ἐπίσκοπον γίνεσθαι, ἵνα μὴ τὸ τοῦ ἐπισκόπου κατευελίξῃται ὄνομα· ἀλλὰ ΠΕΡΙΟΔΕΥΤΑΣ, οὓς καὶ ΕΞΑΡΧΟΥΣ σήμερον ὀνομάζουσιν, εἰς διόρθωσιν τῶν ψυχικῶν σφαλμάτων στέλλεσθαι ἐν αὐταῖς· εἰ δὲ τινες προγένοντο, τῆς τιμῆς μὲν μετακινεῖσθωσαν, μηδὲν δὲ τι ἐπισκοπικὸν διοικεῖωσαν, δίχα γνώμης τοῦ ἐπισκόπου τῆς πόλεως ἢ ὑπόκεινται αὐταί.

ANNOTATIONES.

BEVEREGIIUS.—Decretum est hoc canone à Patribus Laodicensis, ne in vicis et regionibus Episcopus constituatur, sed ΠΕΡΙΟΔΕΥΤΑΙ. Et hunc sanè canonem diu observatum fuisse ex Concilio Chalcedonensi patet. Namque in libello contra Ibas oblato, Valentinus quidam Presbyter et ΠΕΡΙΟΔΕΥΤΗΣ ab eo ordinatus dicitur, Βαλέντιόν τινα ἐπίρρητον ἄνδρα, οὗ πάντες οἱ συγκαμῆται κατεβόησαν ἐγγράφως καὶ ἀγράφως μοιχείαν καὶ ἀρσενοκοτίαν, ἐχειροτόνησε πρεσβύτερον καὶ ΠΕΡΙΟΔΕΥΤΗΝ. Concil. Chalced. Act. 10. pag. 284. ed. Col. MDCXVIII. Sic etiam in eodem Concilio Alexander quidam Presbyter et ΠΕΡΙΟΔΕΥΤΗΣ vocatur, ὁ εὐλαβίστατος πρεσβύτερος καὶ ΠΕΡΙΟΔΕΥΤΗΣ Ἀλέξανδρος. Ib. Act. 4. pag. 341. Joannes Episcopus Ciri inter officia, quæ Presbyteris maximè congruunt, ΠΕΡΙΟΔΕΥΤΗΝ etiam recenset. Εἰσι δὲ καὶ ἕτερα ὀφφίμια, ἅπερ μάλιστα τοῖς ἱερεῦσιν ἀρμοζοῦσιν· ὁ ἐπὶ τῶν κατηχήσεων, ὁ ὀρφανοτρόφος, οἱ τέσσαρες ἑκδοικοί, ὁ ἀρχὼν τῶν φάτων, ὁ νομμοδότης, καὶ ὁ ΠΕΡΙΟΔΕΥΤΗΣ. In Jur. Græc. Rom. l. 5. 321. Eadem ferè habentur et in catalogo officialium Ecclesiæ Constantinopolitanæ. Eruditi admodum viri non opinati sunt tantum, sed disertè asseruerunt, hos eosdem fuisse, atque Ἐποπεπίσκοπος; quod satis mirari nequeo; nam ab iis perpetuò distinguuntur. Gennadius, τῶν τὰ πάντα, θεοσεβέστατε, πάντα τὸν ὄντινα οὖν ἀλμσκόμενον ἐπὶ τοιούτῳ τινὶ ἐπίσκοπον, ἢ χωρεπίσκοπον, ἢ ΠΕΡΙΟΔΕΥΤΗΝ, ἢ πρεσβύτερον, ἢ διάκονον. Gennad. in Encycl. Justinianus, Θεοπί-

ζομεν καθὰ τοῖς θεοῖς διώρισται κανόσι, μήτε ἐπίσκοπον μήτε χωρεπίσκοπον μήτε ΠΕΠΙΟΔΕΥΤΗΝ, μήτε πρεσβύτερον, μήτε ἄλλον οἰασθήποτε ἀξίας κληρικὸν ἐπὶ δόσει χειροτονεῖσθαι. Hoc est, juxta veterem interpretem, *Præterea sancimus (quemadmodum et divinis canonibus definitum est) ne quis Episcopus, aut Chorepiscopus, aut visitator, aut circulator, aut Presbyter, aut alius cujuscunque dignitatis Clericus, per largitionem ordinetur.* sect. 9. l. 42. c. de Episcopis et Clericis. Ubi primò observes ΠΕΠΙΟΔΕΥΤΗΝ tam à Justiniano quàm Gennadio inter Chorepiscopum et Presbyterum collocari; et deinde à veteri interprete visitatorem aut circulatorem latine exponi. Sic etiam Dionysius Exiguus hoc loco vertit, primam canonis hujus partem ita interpretando, *Quòd non oportet in villulis aut in agris Episcopos constitui, sed visitatores.* Et Isidorus Mercator, *Non oportet in villis et vicis Episcopos ordinari, sed visitatores, id est, qui circumeant, constitui.* Quinetiam ex hoc ipso canone satis apertè constat ΠΕΠΙΟΔΕΥΤΑΣ hìc commemoratos alios fuisse à Chorepiscopis. Primo enim hìc decernitur ut constituentur ἐπίσκοποι ἐν ταῖς χώρας, hoc est haud dubiè ΧΩΡΕΠΙΣΚΟΠΟΙ, ut ab Episcopis urbium distincti. Hos et antea constitutos fuisse hìc ostenditur; ulterius enim decernitur Episcopos, qui antea constituti fuerant, τοὺς ἤδη προκατασταθέντας in villis nimirum aut regionibus, postea nihil agere ἀνευ γνώμης τοῦ ἐπισκόπου τοῦ ἐν τῇ πόλει. Ergo antehac ἐν χώρας etiam revera Episcopi constituti sunt. Sed in posterum eorum loco ΠΕΠΙΟΔΕΥΤΑΙ substituantur, tantum est; qui propterea apertissimè distinguuntur à Chorepiscopis illis sive Episcopis ἐν χώρας, qui antea constituti fuerant. Hi autem ΠΕΠΙΟΔΕΥΤΑΙ Presbyteri erant, qui nulli certo loco addicti, Episcopi nomine rusticanas parœcias circumeuntes, eas visitabant; unde circultores, et visitatores dicti sunt. De quibus Gregorius Magnus ait, *Visitatores Ecclesiarum, clerique eorum, qui cum ipsis per non suæ civitatis parochias fatigantur, aliquod laboris sui capiant, te disponente, subsidium.* Greg. l. 3. ep. 11. ad Maximian. ep. Syracus. Nomen autem sortiti videntur à medicis corpora curandi gratiâ circumcursantibus; de quibus Modestinus, *Grammatici, Sophistæ, Rhetores, Medici, qui ΠΕΠΙΟΔΕΥΤΑΙ, id est, circultores vocantur, quemadmodum à reliquis muneribus, ita et à tutelâ et à curâ requiem habent.* sect. 1. l. 6. ff. de excusationibus.

PART I.

Continental Documents.



France.

SECT. I.—Diocese of Arras.

SYNODAL INSTRUCTIONS FOR THE **Deans** of Christianity of the DIOCESE OF ARRAS,
BY FRANCIS RICHARDOT, BISHOP OF ARRAS, A.D. MDLXX.

I. **DECANI** omnes Christianitatis nostræ diœcesis seriò moneant rectores parochialium ecclesiarum suorum decanatum; ut sollicitè considerent et observent, sintne aliqui in suis parochiis, qui sinistrè et malè de Fide Catholicâ sentiant; sine ullâ dissimulatione quotquot hujusmodi homines reppererint hoc vicio laborare, renuntient nominatim eisdem decanatis, qui tenebuntur singulis mensibus semel dictos curatos monere, et ab eis sciscitari super hoc, et ubi informatione factâ compererint aliquos, teneantur statim officialem nostrum certiozem facere, ut præcludatur via omnibus scandalis et hæresibus.

II. Decani diligentè advigilent, ne in cultu Divino, cæremoniis, aut hujusmodi rebus, quæ ad religionem pertinent, ullus abusus aut superstitio possint irrepere, aut si qua irrepserit, statim nos moneant, ne hoc malum per incuriam radices agat.

III. Curent ipsi quoque, ut cultus Divinus piè et religiosè in ecclesiis parochialibus perficiatur, ac idoneo tempore, ut in Cameracensi Provinciali Synodo præcipitur.

IV. Dicti Decani et curati advertant super ratione instituendi juvenes in literis, et maximè de religione, moribus et doctrinâ ludimagistrorum, certiores fieri curent. Inprimis autem sciant, qui libri legantur, neque patiantur legi aut doceri, ex quibus ingenia pueritiæ corrumpi possint: moneantque eosdem ludimagistros, ut discipulos doceant Præcepta Dei, Symbolum Apostolorum, Orationem Dominicam Latine et Gallicè, et alia, quæ pertinent ad pietatem, et ne ab eisdem decanatis contemnatur hic Articulus:

Præcipimus quoque, ut ipsi decani renuncient per literas, aut alio modo, quomodo procedatur in institutione dictæ juventutis.

v. Iidem decani considerent diligenter, an pastores exequantur, quæ prius a nobis mandata fuerunt, scilicet, ut singulis saltem mensibus die Dominico jubeant congregari minores parochiarum suarum; ut cognoscant, an iidem juvenes teneant memoriâ Symbolum apostolorum, Orationem Dominicam, Præcepta Dei et Ecclesiæ, ut jam dictum est. Quâ in re si qua negligentia committatur ab eisdem pastoribus, iidem decani certiores nos faciant. Ut autem pueritia et minor ætas commodius possit institui, hortamur patresfamilias, præceptores et ludimagistros, ut libellum, cui titulus est, *L'Enfance du Chrestien*, Duaci ad hanc rem judicio nostro editum, tradant pueris, filiis, discipulis, cum literarum rudimentis ediscendum; ut ab ineunte ætate sementem veræ pietatis et religionis capiant.

vi. In capitulis decanatum ruralium sumptus fiant moderati ac tennes: servetur frugalitas et honestas: caveantque decani, ne quid exigant a pastoribus præter ea, quæ jure et legitime recipi debent. Cujus rei officialis noster curam suscipiat, nobisque renuntiet, an iidem decani, aut promotores, præterquam, quod æquum est, et constitutum fuerit in formulis curiæ nostræ, a pastoribus extorqueant, ut huic malo tempestivè provideatur.

SECT. II.—Diocese of Avranches.

L'OFFICE DES *Doyens Ruraux* DU SYNODE D'AVRANCHES, RÉSOLU AU SYNODE DE PÂQUES, LE SEIZIÈME AVRIL, MIL SIX CENS QUARANTE-TROIS, PAR LE REVEREND PÈRE EN DIEU, CHARLES, EVÊQUE D'AVRANCHES.

CHARLES, par la grâce de Dieu et du saint Siège Apostolique Evêque d'Avranches, Conseiller du Roi en ses Conseils, à tous nos *Doyens ruraux*, Curéz et Prêtres, Salut. L'Eglise, ainsi que le corps humain, est gouvernée par diverses puissances, qui par la variété de leurs fonctions contribuent à la perfection dont Dieu désire qu'elle soit douée. Les évêques, comme chefs, président à la conduite générale de tous les autres, et les curéz ont sous eux quelques fonctions particulières, pour faire arriver heureusement les peuples au port du salut éternel. Mais comme il est difficile aux évêques de veiller, autant qu'il est besoin, sur les curéz et sur les peuples, à cause de la grande multitude d'affaires auxquelles ils sont occupéz, l'église

a trouvé bon, dès les premiers siècles, d'établir des *Dogens ruraux*, autrement nommés *archiprêtres*, qui exerçant une puissance moyenne entre les évêques et les curés, reçoivent des évêques les ordres et les instructions qu'ils jugent utiles au bien de leur diocèse, pour les communiquer aux curés, et les faire observer dans leurs *Dogennéz*. Et à dire vrai, cela nous semble d'autant plus convenable, que l'église militante est une image de la triomphante, et qu'ainsi dans la triomphante les anges des hiérarchies moyennes reçoivent les lumières de ceux des plus hautes hiérarchies, pour les communiquer en suite à ceux des plus basses.

Mais comme toutes les fonctions ecclésiastiques doivent être ordonnées par de certains réglemens, tant pour éviter la confusion, que pour se conformer à la conduite de la sagesse Divine, qui ordonne toutes choses, d'un bout du monde à l'autre, avec poids, nombre et mesure, il nous a semblé à-propos de régler par ces présentes l'office des *Dogens ruraux* de notre diocèse, qui par le laps de temps, ainsi que le reste des choses de l'univers, ont perdu beaucoup de leur lustre et de leur autorité, et sont demeurés presque inutiles.

Nous leur donnons pouvoir de prêcher et catéchiser, et d'absoudre aux assemblées des mois, des cas qui nous sont réservés par tout notre diocèse, de bénir les chasubles, aubes, amicts, ceintures, nappes et devants-d'autels, pourvu que le tout soit conformé aux saints décrets.

Leur fonction ordinaire sera de veiller sur les curés, prêtres et autres clercs du diocèse, et de prendre garde avec soin que chacun d'eux vive dans l'ordre prescrit par les saints canons, et par les constitutions synodales de ce diocèse, et en cas de contravention, d'informer chacun dans l'étendue de son *Dogenné* contre les délinquans, sans qu'il soit besoin de prendre nouveau mandement, les constituant nos vicaires forains dans tout leur *Dogenné*, à l'effet des présentes seulement.

Ils établiront en chaque quartier, pour quatre ou cinq paroisses, un prêtre, qui sçaura fort parfaitement dire la sainte messe, selon les rubriques du messel Romain, pour apprendre aux prêtres de ces paroisses à la bien dire, et ainsi corriger les manquemens signalés que nous avons trouvé en ce point.

Ils recevront de nous tous les mandemens qui seront faits, pour être distribués aux curés, et publiés dans les paroisses et autres lieux du diocèse. Et d'autant qu'on a souvent peine de leur faire tenir lesdits mandemens, chacun d'eux sera tenu d'élire une maison en la ville d'Avranches, pour recevoir lesdits mandemens, par personnes qui aient le soin et une adresse pour les leur faire tenir.

Ils nous écriront pour le moins une fois le mois, pour nous rendre compte des désordres qui se passeront dans leur *Dogenné*, tant entre les clercs que parmi les

laïcs, auxquels il sera besoin d'apporter remède : et en outre, parce qu'il est absolument nécessaire que nous les voyons de temps en temps, tant pour nous informer de l'état des choses plus particulièrement qu'il ne se peut faire par lettres, que pour recevoir de nous sur cela de vive voix les ordres convenables, ils seront obligés de nous venir trouver pour cet effet tous les premiers lundis de chaque mois, ou, s'il étoit fête, le lendemain ; et se trouvant ainsi tous ensemble en même jour, nous délibérerons avec eux des moyens de rétablir toutes choses en bon état, et nous leur en donnerons les instructions.

Pour avoir plus de connoissance de ce qui se passe dans les paroisses, ils prendront soin d'entretenir en chacune d'elles correspondance avec des personnes qui aient du zèle, de la probité, et quelque suffisance extraordinaire : et outre tout cela, ils assembleront chaque mois tous les curés de leur *Diocèse*, en une ou plusieurs assemblées, selon la distance et commodité des lieux, pour en ces assemblées s'informer diligemment, de chacun d'eux en particulier, de la conduite de leurs vicaires, prêtres, clercs et paroissiens, et aviser ensemble, dans un commun conseil, des moyens convenables à rétablir en son lustre la discipline ecclésiastique et chrétienne, en formant des résolutions qui nous seront aussitôt envoyées par eux, pour être, s'il nous semble à propos, confirmées et publiées dans le *Diocèse*.

Ces assemblées ne se tiendront point les jours de fêtes commandées de l'église, ni même aux jours auxquels on célébrera quelque dévotion particulière dans les paroisses, afin d'avoir tout le temps nécessaire à les faire utilement.

Et d'autant que notre intention n'est pas seulement de déraciner les désordres auxquels l'infirmité humaine a donné lieu dans les paroisses, mais aussi de rendre les curés plus capables de se bien acquitter de leur devoir, nous ordonnons que dans ces assemblées, après avoir célébré la messe du Saint Esprit, et dit le *Veni Creator*, les *Docteurs* fassent une conférence avec les curés de leur *Diocèse*, sur tous les sujets qu'il leur est nécessaire de bien sçavoir, particulièrement sur les sacrements, sur la manière de les bien administrer, sur tous les cas de conscience dont il est besoin qu'ils soient instruits pour dignement administrer celui de la pénitence, et sur la forme de bien vivre que doit suivre un bon curé.

Et comme ces conférences du matin pourront être utiles à tous les prêtres, aussi bien qu'aux curés, tous ceux de la paroisse et du voisinage seront conviés de s'y trouver, pour s'instruire de plus en plus de leur devoir.

Pour éviter la confusion qui pourroit arriver, si chacun étoit maître en ces assemblées, nous enjoignons très-expressément à tous curés et prêtres qui s'y trouveront, d'obéir aux *Docteurs* ruraux, et de faire exactement tout ce qu'ils leur prescriront, comme étant supérieurs desdites assemblées, et y tenant notre lieu et place.

Les curéz y assisteront en habit décent, et après l'avoir fait ils dîneront tous ensemble, avec autant de sobriété que de modestie; le *Doyen* donnant ordre, s'il est possible, afin que ce repas ne soit pas seulement utile au corps, qu'il se fasse pendant tout le dîner quelque lecture de Grenade, de Molina, ou autre bon auteur, qui enseigne aux curéz et aux prêtres la piété dans laquelle ils sont obligéz de vivre.

Pour empêcher que ce dîner ne soit onéreux à personne, les assemblées se feront tantôt en une paroisse, tantôt en une autre, prenant garde néanmoins que ce soit en lieu qui ne soit point éloigné plus de deux lieues, principalement en hiver, des curéz qui y doivent assister, et chacun d'eux sera obligé de contribuer dix sols pour chaque assemblée, la sobriété que nous désirons être gardée en leur repas n'exigeant pas une plus grande dépense, et nous obligeons chacun d'eux à payer cette somme au curé chez lequel se fera l'assemblée, qui sera aussi obligé de la recevoir, et de ne point faire de plus grande dépense que cette somme lui permettra.

Et pour obvier à la superfluité d'une plus grande dépense, nous ordonnons, conformément aux ordonnances du grand saint Charles Borromée, qu'on ne servira à ce dîner que du veau, bœuf et mouton, et deux plats de volaille au plus.

L'après-dînée sera employée par les *Doyens*, premièrement à s'informer de chacun des curéz en particulier du soin qu'ils apportent à instruire leurs prêtres, pour les rendre capables de bien administrer la sacrement de pénitence, de bien dire la messe, et de vivre en bons ecclésiastiques. Et puis ils leur demanderont en suite, de quelle diligence ils usent pour enseigner les peuples de leurs paroisses, tant en public qu'en particulier, non seulement de ce qu'ils doivent croire, mais aussi de ce qu'ils sont obligéz de faire pour vivre en vrais Chrétiens; s'ils leur apprennent la manière de bien prier Dieu lorsqu'ils sont à la messe, et le matin et le soir, en se levant et couchant; si les prêtres de leurs paroisses sont soigneux d'assister au service, et de se bien acquitter des fondations; s'ils n'entrent point quelquefois en l'église en habit court et sans soutane; s'ils disent la messe dévotement et avec les cérémonies prescrites dans les rubriques; s'ils ne mènent point une vie libertine et scandaleuse; s'ils ne vont point à la taverne; s'ils vivent en paix les uns avec les autres; si l'église est en bonne réparation; si les autels sont tenus proprement; si personne n'usurpe le bien de l'église; si les ornemens et linges de l'autel sont honnêtes et non déchiréz; s'il n'y a point de laïcs scandaleux dans leurs paroisses, et d'inimitié invétérées, ou de personnes qui se ruinent les unes les autres en procès.

Pour rendre un compte plus exact de tout cela aux *Doyens*, quelques jours avant l'assemblée, les curéz auront soin de rechercher l'état, la vie, et les mœurs de leurs paroisses et paroissiens, et de mettre sur un mémoire les choses auxquelles ils jugeront être nécessaire d'apporter remède.

Après s'être informés de chacun des curés en particulier de ce que dessus, ils les rassembleront, et proposant en général, sans nommer personne, les désordres plus notables, ils aviseront ensemble dans un commun conseil quels remèdes on pourra y apporter, et on fera mettre par écrit ceux qui seront résolus.

Pour cet effet il y aura un secrétaire en chaque *Doyenné*, qui prendra soin d'enregistrer dans un registre relié et particulier, dont les feuillets en blanc seront consignés par nos official et promoteur, tout ce qui se resoudra dans les assemblées, et d'en expédier promptement une copie pour nous être envoyée.

Mais comme il seroit presque impossible à quelques *Doyens* ruraux d'assembler tout leur *Doyenné*, et de veiller au point qu'il est nécessaire pour le bien du diocèse sur tous les curés, tant à cause de la distance des lieux, que pour ce qu'ils sont eux-mêmes curés, nous avons trouvé bon d'établir dans les grands *Doyennés*, outre le *Doyen*, un vicaire forain, qui par ordre du *Doyen*, auquel nous entendons qu'il demeure soumis, aura même autorité d'informer et citer que le *Doyen* rural, dans les cures qui lui seront commises, et aura même charge que lui de faire les assemblées des mois, sans pouvoir néanmoins exercer le reste des fonctions que nous attribuons et dont nous donnons commission à notre vicaire-général.

SECT. III.—I. Diocese of Besançon.

INSTRUCTIONS FOR *Deans* of Christianity AT EPISCOPAL SYNODS IN THE DIOCESE OF BESANÇON, UNDER ARCHBISHOP CLAUDE A BAUMA, A.D. MDLXXI.

DECANI Christianitatis (quos nos rurales vocamus, alii archipresbyteros) aut eorum sub-decani, compareant in utraque synodo (bis in anno celebrandâ) in vestibus honestis, cum superpelliciis albis, mundis et honestis: similiter et curati, seu eorum vicarii, cum superpelliciis (præsertim in synodo matutinâ) diligentèrque attendant ad verba sacræ cohortationis, et ad alia, quæ eis dicuntur, ac mandabuntur: nec recedant ab ipsâ synodo absque nostrâ, aut vicarii nostri generalis licentiâ.

Venientes ad synodum, honestam sibi eligant societatem, honesta hospitâ: ubi gravitèr, modestè, pacificè, se gerant: sobriè vivant: vana colloquia, et fœda, cantilenas, choreas, meretrices, et suspecta omnia devitantes: potiùs orationibus et jejuniis, exemplo Apostolorum, vacent, et de rebus ecclesiasticis meditentur.

Curati, qui nequeunt personalitèr interesse propter causam legitimam, dent *Decanis* suis excusationem suam in scriptis, quam *Decani* nobis præsentare tenebuntur in ipsâ synodo: aliâs contumaces reputabuntur. Præcipimus autem receptori cameræ nostræ, ut diligenter exigat pœnam contumaciæ absentium omnium, qualis in quâque synodo declarata fuerit.

Antequàm verò se itineri committant, visitent gregem suum, ac dispiciant: et si quos morbo gravatos habuerint, eos hortentur ad susceptionem sacramentorum. Similitèr hortentur mulieres partui proximas, ad confessionem, et sacrosancam communionem: ne ipsis absentibus contingat eas ab hâc luce decedere absque illis sacramentis.

Quòd si commodè non possint, relinquunt presbyterum aliquem, qui eorum vices gerat: et rebus ita ordinatis, ad sanctam synodum properabunt.

(Nomina Decanatum hujus Dioecesis Bisuntin. in quos tanquam particulares Dioeceses dividitur, hæc:)

Tenentur *Decani rurales* in singulis synodis referre nomina beneficiatorum (præsertim curatorum) non residentium in suis ecclesiis parochialibus, idque in scriptis.

Item, nomina excommunicatorum, qui per annum et diem sententiam excommunicationis sustinuerint.

Item, nomina adulterorum, concubinariorum, et usurariorum publicorum et manifestorum.

Item, nomina hæreticorum, conventicula celebrantium, seu a communi conversatione fidelium vitâ et moribus dissidentium.

Item, nomina sortilegorum, divinorum et receptorum eorundem, et blasphematorum Dei, Virginis Mariæ et sanctorum.

Idcirco diligenter debent hæc inquirere tam in populo, quàm in clero, et prudenter: ut fidelitèr referre possint in synodo.

Item, referre debent, si qui in beneficia ecclesiastica absque canonicâ institutione se intruserint.

Item, si qui incorrigibiles fuerint in clero, aut minus idonei rectores ecclesiarum in *Decanatibus* ipsorum.

Item, referre debent nomina eorum, si qui sint, qui beneficia sub injusto titulo habent in confidentiam.

Item, referre debent nomina hæredum, qui defunctorum testamenta non publicant: et exequutorum, qui pias eorundem dispositiones non exequuntur.

Decani rurales post nostram synodum, cum curatis suorum *Decanatum* compareant annuatim in locis et diebus consuetis ab antiquo ad celebranda sua concilia, seu

conventus, ibique orationem per se, vel per alium habeant de moribus et honestate clericorum, et statuta nostra synodalia recitent et exponant, invocato priùs per missam et processiones devotas Spiritu Sancto: deinde conferant cum curatis ipais de rebus ecclesiasticis, prout suo incumbit officio, honestè, pacificè, et modestè, sine murmure, sine contentione: et quæ invicèm conferentes, expedire duxerint ad tranquillitatem, libertatem, auctoritatemque ecclesiæ, illa in proxima synodo referant nobis, vel verbo, vel scripto.

Recedentes curati, vel vicarii eorum a synodo Maji, accipiant sanctas unctiones recentes, et honestè deferant, non committentes eas laicis hominibus. A synodo verò Autumni tabulam calendarii et officii sequentis anni, si quæ factæ fuerint, accipiant: et utrumque gratis dabitur:

SECT. III.—2. Diocese of Besançon.

DUTIES OF *Beans Rural*, OR *Archpriests*, OF THE DIOCESE OF BESANÇON, UNDER FRANCIS JOSEPH GRAMMONT, ARCHBISHOP OF BESANÇON, A.D. MDCCVII.

I. QUONIAM exigit sanctæ Tridentina synodus, ut iis tantùm ministeria ecclesiastica committantur, qui residere in locis, et curam per seipsos exercere valeant: Nolumus quemquam decanorum nostrorum ruralium, nisi gravissimâ ex causâ nobismet cognitâ et probatâ in scriptis extra decanatum suum residere: mandamusque intra mensem à præsentî synodo statuto huic nostro fieri satis, et morem geri.

II. Singulis quoque annis ad synodum conferant indicem omnium parochiarum suorum decanatum adscriptis eorum nominibus, qui earundem vel institutionem, vel administrationem temporariam obtinuerint, cum expressâ ecclesiarum designatione; quæ cum proprio pastore careant, et hisce bellis eodum spoliatæ sint, neminem omninò habent, qui sacramenta ipsis administret; idque eo consilio, ut viciniore parochia loci illius cura iungatur, cum perceptione fructuum, vel ad certum tempus, vel donec aucto cleri numero alitèr provideatur.

III. Iisdem præterea injungimus, ut illicò, Festis Paschalibus absolutis, sacras unctiones quotannis ipsi distribuant, et pari cum diligentia quidquid nostro nomine, seu moribus restituendis, seu precibus pro salute principum, aut aliâ qualibet causâ, indicendis, per diocesim vulgabitur, exequantur ipsi, vel ab aliis sine morâ executioni mandari procurent sub pœnâ contra remissos et negligentes arbitrandâ.

Ut facilius totius diœcesis nostræ, præsertim ecclesiarum status notitiâ ad nos perveniat: statuimus *Decanos rurales* imposterum, dum sacras unctiones suo tempore distribuent, debere singulas parochias singulatim et personalitèr lustrare, neque amplius convocandos volumus parochos ad stationes singulares, quæ in alienos ab instituto abusus degenerarent; mandantes iisdem *Decanis ruralibus*, quatenus antea moneant parochos circa tempus suæ visitationis, ut eo tempore in suis parochiis præsentés adsint, aliàs si abfuerint dicti parochi, propriis sumptibus ad unctionum susceptionem recurrent.

v. Ut statutum annis superioribus editum, circa parochiarum visitationem à *Decanis ruralibus* quotannis perficiendam, suum consequatur effectum, iisdem mandamus, ut quamprimum ad aliquam ecclesiam accesserint, scabinos et præcipuos parochianos ad sonum campanæ convocent, ipsisque præsentibus sacra universa reverentèr et accuratè perlustrent, incipiendo ab augustissimi sacramenti tabernaculo, cæterisque vasis ad cultum Divinum deputatis. Attendant deinde, utrum lampas coram eodem SS. sacramento jugitèr ardeat, et ornamenta, præcipuè linteamina, ad usum sacrificii Missæ destinata, munda sint ac integra. Denique ipsos scabinos aut iis absentibus, seniores loci sigillatim conveniant, a quibus de regimine et moribus parochi diligentèr inquirant, ut de his omnibus scripto nos certiores reddant.

vi. Ut autem commodiùs et meliùs super quibuscumque statuendis deliberari possit, tenebuntur singuli *Decani*, quindecim ante proximè sequentem synodum diebus, mittere ad reverendum vicarium-generalem memorialia omnium eorum, quæ in ipsorum *Decanatibus* corrigenda, reformanda, componendaque ac ordinanda videbuntur.

vii. *Decani rurales* post nostram synodum, cum curatis suorum *Decanatuum* compareant annuatim in locis et diebus consuetis ab antiquo, ad celebranda sua concilia seu conventus, ibique orationem per se, vel per alium habeant de moribus et honestate clericorum, et statuta nostra synodalia recitent et exponant, invocato priùs per Missam et processiones devotas Spiritu Sancto: deindè conferant cum curatis ipsis de rebus ecclesiasticis, prout suo incumbit officio, honestè, pacificè, et modestè, sine murmure, sine contentione: et quæ invicè conferentes expedire duxerint, ad tranquillitatem, libertatem, auctoritatemque ecclesiæ, illa in proximâ synodo referant nobis vel verbo, vel scripto.

viii. Utque promptiùs ac tutiùs reverendissimi mandata posthac ad *Decanos* perveniant, injuncta est ipsis et eorum singulis domicilii in hac civitate electio, relicto ibi procuratore, qui ea statim ad eos ferri curet; ipsi verò *Decani* ad quoslibet parochos, et alios, quorum intererit, sub poenâ à nobis arbitrandâ, eadem absquè morâ transmittant.

ix. Demùm, ut condita a nobis hactenùs statuta, quæ ad eosdem Decanos spectant, omnes et singuli ad amussim observent, proprio exemplo in castitate, et sobrietate, et morum compositione cæteris Decanatum suorum clericis præluceant; nullisque vigiliis aut laboribus parcant, certioribus nobis faciendis de omnibus, quæ remedio celeri videbuntur indigere.

SECT. IV.—Diocese of Constances.

MANDEMENT DE MONSIEUR L'EVESQUE DE CONSTANCES, AUX *Doyens Curés* ET AUTRES CURÉS DU DIOCÈSE—LE DIX-NEUVIÈME DE MAI, MIL SIX CENS SOIXANTE ET SEIZE.

CHARLES-FRANÇOIS DE LOMÉNIE DE BRIENNE, par la grâce de Dieu et du saint Siègè Apostolique Evêque de Constances; à tous les *Doyens Curés* et Curés de notre Diocèse, Salut. Il est si difficile dans le temps où nous sommes de faire réussir quelque chose de nouveau pour le rétablissement de la discipline, que le plus grand bonheur qui puisse arriver à un évêque, est celui de trouver dans son diocèse un ordre déjà établi qui lui donne la facilité de la faire. C'est ce que par la grâce de Dieu nous avons rencontré dans celui auquel il nous a envoyé, y ayant trouvé des séminaires pour former les prêtres; des *calendes* établies pour régler les paroisses, et des synodes pour le règlement général de tout le diocèse: de sorte qu'il n'est question que de tirer de ces choses tout l'avantage que nous pouvons, et que nous devons. Et comme nous avons déjà marqué le temps et les exercices du séminaire, il ne reste maintenant que de régler les *calendes* et les synodes d'une telle manière, que ces assemblées deviennent plus utiles qu'elles ne l'ont jamais été.

C'est ce qui nous a fait naître la pensée de vous envoyer des mémoires instructifs du devoir des curés envers leurs *Doyens*, et des *Doyens* envers nous, exhortant les curés de ne manquer jamais à tenir un état tout prest de leur paroisse pour la *calende*, et les *Doyens* un état de leurs *Doyennés* pour leur synode particulier, en la manière suivante, excitant aussi les uns et les autres à faire leur devoir, en sorte que nous ne soyons pas obligés de leur faire aucun reproche au synode général, dans lequel ayant profité de la connoissance que vous nous aurez donnée, outre celle que nous aurons prise par le moyen de nos archidiâcres (qui sans doute entrèrent dans le même esprit que nous, pour nous aider dans un si bon dessein) nous nous en

servirons au synode général, pour corriger les vices, réprimer le scandale, donner ou réformer des statuts, et prendre toutes les mesures nécessaires, afin que Dieu soit glorifié dans toute l'étendue de notre diocèse, et que les peuples soient édifiés par le bon exemple des prêtres.

L'ORDRE QUI DOIT ÊTRE OBSERVÉ AUX Calendes.

TOUS les curés qui s'y doivent trouver se rendront sur les neuf heures du matin dans l'église du lieu où elle doit être tenue.

Ils y seront en soutane, surplis et bonnet quarré.

Ils auront eu soin de faire couper leurs cheveux, rafraîchir leurs tonsures, et seront modestes et propres en leurs habits.

Si nous y allons, tous les ecclésiastiques se rangeront selon leur ordre pour venir au devant de nous processionnellement, et l'on observera les cérémonies qui ont accoutumé d'être faites à la réception de l'évêque, et qui sont marquées dans le pontifical Romain.

L'on chantera une grande messe du Saint Esprit. Et comme l'on aura eu le soin de nommer les officiers à la calende précédente, nous voulons que toutes les cérémonies y soient faites avec le plus d'exactitude et de majesté qu'il sera possible.

Après la messe, il y aura une exhortation d'une petite demie-heure par celui qui aura été choisi pour cela, auquel nous recommandons de faire un entretien plus affectif qu'éclatant, et de traiter avec simplicité une matière qui soit propre pour l'auditoire au sujet de la calende : l'exhortation finie, on fera l'appel de tous le curés.

Celui qui présidera à la calende, soit que se soit nous, ou quelqu'un de nos grands-vicaires, l'archidiacre du lieu, ou le doyen rural, se fera rendre compte de l'état de chaque paroisse en particulier, selon l'ordre de l'appel des curés.

Et afin que ce qui sera fait à la calende soit conforme à ce qui aura été réglé par nous, ou nos archidiacres dans les visites, et que ce soit même une occasion pour le faire exécuter, s'il ne l'a pas été, chaque curé sera tenu d'avoir en main l'extrait, ou un double de la dernière visite, lequel sera lu ; et l'on fera mention sur le registre de la calende de l'exécution ou inexécution des ordonnances.

Pour faciliter l'exécution du présent article, nous voulons qu'en chaque paroisse il y ait un registre, qui sera fait à la diligence des curés, lesquels en seront récompensés par le trésor, et qu'ils aient soin qu'il y ait quelqu'un de prest au temps de

la visite, pour écrire sur ledit registre nos ordonnances, ou celles de nos archidiâcres, dans le temps qu'elles seront dictées, lesquelles étant signées par nous, ou par nos archidiâcres, et de leur greffier, tiendront lieu d'original; et seront de même foi que celui qui demeurera entre les mains de notre secrétaire, ou des greffiers de nos archidiâcres.

Seront aussi lues les ordonnances de la dernière calende, et celles qui seront faites de nouveau soigneusement écrites sur le registre.

Cela fait, on adorera le saint Sacrement, et l'on se retirera au presbytère, sans s'arrêter à causer dans l'église, ni à la porte, ni dans le cimetière: l'on ne s'arrêtera point dans les rues, l'on ne se dispersera point dans les maisons, mais l'on ira droit au presbytère avec modestie.

Ceux qui auront soin du repas feront en sorte qu'il soit prest à la sortie de l'église, et le curé du lieu aura soin que quelque ecclésiastique commence la lecture d'un chapitre du Nouveau Testament, aussitôt que la bénédiction des viandes aura été faite à haute voix, et qu'il aura pris le jubé, en la manière qui est marquée dans le Bréviaire.

Ayant achevé la lecture du chapitre, il prendra quelqu'autre livre propre pour l'instruction de la compagnie, comme le traité de la dignité des prêtres, par Molina Chartreux, ou quelqu'autre semblable.

Le repas sera modeste en toute manière: on y gardera le silence, l'on n'y portera aucune santé: les viandes seront communes et sans une trop grande abondance: nous défendons absolument d'y faire plus de deux services, et toutes sortes de pâtisseries et de confitures, ce que nous voulons même être gardé très-exactement lorsque nous serons présens, ne voulant point être l'occasion d'un désordre que nous devons réprimer, mais au contraire donner exemple de la frugalité qui doit être en toutes ces assemblées.

Le repas sera d'une heure seulement; après laquelle on fera cesser le lecteur, l'on dira les grâces, et s'il y a un jardin l'on pourra y passer quelque temps, mais nous ne souhaitons pas que l'on sorte du logis, ni que l'on souffre que les séculiers y entrent: on ne les invitera jamais à ce repas.

Sur les deux heures il y aura une conférence qui commencera par le *Veni Sancte Spiritus*, qui sera récité à genoux; le *doyen rural* y présidera en notre absence, de nos vicaires-généraux et de nos archidiâcres, il en réglera la matière si elle n'a pas été prescrite par nous, elle sera traitée par deux personnes nommées à la calende précédente, où le sujet aura été marqué: le premier le traitera d'une manière doctrinale, et le second proposera les cas de conscience les plus ordinaires, sur lesquels

on prendra les avis de plusieurs, et les résolutions seront écrites sur le registre, ou sur un plumitif pour y être transcrites, ayant été mises au net par quelque personne intelligente.

Si outre la matière proposée il se présente quelque cas ou affaire extraordinaire qui mérite de prendre conseil, on le pourra faire à la calende, et même, s'il est nécessaire, charger nos *Doyens* de nous en communiquer à leur synode.

On le pourra faire aussi par le moyen du mémoire que chacun des curés sera tenu de donner à son *Doyen*, de l'état de sa paroisse, lequel sera dressé sur les articles contenus dans l'instruction par nous ci-devant donnée en MDCLXXII. ; et nous conjurons tous nos curés de ne se point fatiguer de nous donner chaque année ce mémoire, qui peut être aussi succinct qu'il doit être net, et qu'aucun ne se contente pour s'épargner si peu de peine de nous dire que tout est en même état que l'année précédente ; car, outre qu'il est impossible que cela soit en tout, ce que nous leur demandons est si facile, que nous ne croyons pas qu'après l'avoir fait d'une manière si particulière, il y en ait encore quelqu'un qui le refuse.

La conférence finira par le *Sub tuum præsidium*, &c., et chacun se retirera sans qu'il soit permis à qui que ce soit de demeurer dans les cabarets ; ce que nous leur défendons sous les peines portées par les statuts de ce diocèse.

De tout ce que dessus, le greffier de la calende dressera son procès verbal, dans lequel il fera mention de l'ordre qui aura été gardé à la calende, marquera le nom des absens, et les résolutions qui auront été prises dans la conférence, pour laquelle il aura un registre particulier, et duquel il fera un extrait qu'il mettra entre les mains du *Doyen* rural, pour être joint aux mémoires qu'il nous doit donner au synode.

INSTRUCTIONS POUR LES MÉMOIRES QUI DOIVENT ÊTRE DONNÉZ PAR DES CURÉZ AUX
Doyens Ruraux à LA Calende.

ILS doivent être intituléz, *Mémoire de l'état auquel s'est trouvée la paroisse de*
en la présente année *donné à Monsieur*
le Doyen rural de *par Maître* *Curé du dit lieu.*

Les articles de ce mémoire seront distinguéz entr'eux.

Le premier marquera quel est le seigneur de la paroisse, le patron-presentateur ou collateur, son étendue, le nombre des communians, le revenu, et à qui il appartient de lever les dîmes.

Le second donnera connoissance des ecclésiastiques actuellement demeurans en la paroisse, et dira quelle est leur capacité, et quelles sont leurs mœurs, conformément à ce qui est marqué ci-dessus pour les curés, s'ils ont des pouvoirs suffisans, soit pour le vicariat, soit pour l'administration des Sacremens, et marquera en particulier de qui sont ces pouvoirs.

Il reduira à cet article ce qui regarde le maître-d'école, et ceux qui aspirent aux ordres, et dira quelle est leur conduite.

En cas qu'il y ait des ecclésiastiques du lieu qui en soient dehors, il fera son possible pour marquer leurs noms, âge, capacité, emplois, et le lieu de leur demeure.

Le troisième instruira de l'état de l'église, et principalement si le saint Sacrement y est conservé sûrement et d'une manière décente : s'il y a des calices d'argent : s'il y a des vases distingués pour les saintes huiles : si les fonts sont bien fermés et revêtus de plomb étamé : si la couverture du chœur et de la nef sont en bon état : si le cimetière est fermé : s'il y a des ornemens, des livres d'église, et des registres pour les baptêmes, mariages, mortuaires, etc.

Le quatrième déclarera les noms des personnes scandaleuses, s'il y en a dans la paroisse, come blasphémateurs, adultères, concubinaires publics, hommes séparés de leurs femmes, ou femmes qui auront quitté leurs maris sans être autorisées suffisamment pour le faire, usuriers publics, ceux qui sont en inimitié : ceux qui ne se sont confessés pendant l'année, ou n'ont point satisfait au devoir de Pâques.

Le cinquième fera connoître si les comptes sont rendus : et s'ils ne le sont pas, depuis quel temps, et qui sont les comptables.

Le sixième, s'il y a un inventaire des titres et papiers qui doivent être enfermés dans un coffre fermant à trois clefs, conformément aux statuts du diocèse, duquel inventaire ils aient mis une copie au secrétariat de notre évêché.

Le septième, s'il y a quelque annexe ou quelque bénéfice dans l'étendue de la paroisse, si les églises ou chapelles sont entretenues, et si on s'acquitte des charges.

Nous souhaitons non-seulement que tous curés satisfassent à ces articles ; mais nous les exhortons encore d'y en ajouter d'autres, selon qu'ils jugeront à-propos, afin que nos *doyens* étant instruits, nous le puissions être par eux, et apporter tous nos soins à régler toutes choses.

DU SYNODE DES *Doyens*.

CE synode doit être fait avec d'autant plus de fruit, qu'il peut être tenu avec moins de confusion ; et nous sommes persuadés que si nos archidiâcres et nos *Doyens* nous y secondent, il sera facile de remédier par le moyen de ce synode aux plus grands maux de notre diocèse.

Nous le commencerons par une messe basse que nous dirons à huit heures du matin en notre église cathédrale pour invoquer le Saint Esprit, à laquelle nous souhaitons que nos *Doyens* soient présents en surplis, bonnet et étole ; la messe dite, ils se retireront dans la grande salle de l'évêché où se fera l'appel, et où nous leur dirons ce que nous jugerons à-propos, par rapport à leurs charges.

Sur les deux heures après midi, nous conférerons avec eux en présence de nos archidiâcres des besoins de leurs *Doyennés*, et ensuite ils nous mettront entre les mains les mémoires instructifs de l'état de toutes les paroisses, qui leur auront été fournis par chacun des curés à la calende, auxquels ils ajouteront leurs mémoires, non-seulement pour l'instruction de l'état de leur paroisse en particulier, mais encore de l'état de leurs *Doyennés*, suivant ponctuellement l'instruction par nous ci-devant donnée en l'année MDCLXXII. conçûe en ces termes.

INSTRUCTION POUR LE MÉMOIRE QUI DOIT ÊTRE FOURNI PAR NOS *Doyens Ruraux*
LE JOUR DE LEUR SYNODE.

NOS *Doyens ruraux* nous informeront de l'exécution de nos ordonnances dans l'étendue de leurs *Doyennés* ; nous rendront compte des contraventions, s'il y en a : et comme nous n'envisageons en cela que le bien de notre diocèse, nous leur permettons de nous marquer leurs difficultés à cet égard. Voulons néanmoins que nos ordonnances soient exécutées par provision, et qu'ils nous déclarent les noms de ceux qu'ils sauront n'y avoir pas déferé.

Ils auront une liste des curés de leurs *Doyennés*, suivant laquelle ils nous rendront compte de l'état de chacune d'elles en particulier : premièrement, à l'égard du curé : en second lieu, à l'égard de l'église et du presbytère : et enfin, à l'égard des paroissiens.

Au sujet du curé, le *Doyen rural* nous instruira de son nom, surnom, et de son âge.

Il nous marquera aussi ses qualités bonnes et mauvaises, soit du côté de la doctrine, soit du côté des mœurs. A l'occasion de la doctrine, il nous dira s'il est dans les degrés, Bachelier ou Docteur en Théologie, et en quelle Université: s'il prêche, s'il n'enseigne rien que de Catholique: s'il le fait avec édification, d'une manière sage et discrète; et si, outre les prédications, il a le soin de faire les instructions familières par le moyen des prônes qu'il doit faire chaque dimanche, et des catéchismes que nous voulons être faits exactement dans les temps portés par les statuts du diocèse.

A l'occasion des mœurs, il nous rendra compte:

Premièrement, de sa résidence; nous marquant s'il est, ou a été absent, et combien de temps.

En second lieu, de l'administration des sacrements, voulant pour ce sujet qu'il entende les plaintes qui pourroient lui être faites, soit pour raison de refus ou de négligence, soit pour raison du peu de piété avec laquelle plusieurs traitent des choses si saintes.

A l'occasion de cet article, il marquera à-peu-près le nombre de paroissiens, et si le curé y entretient un vicaire, en cas qu'il y soit obligé; et afin que nous en puissions mieux juger, il nous dira quel est à-peu-près le revenu de la cure.

En troisième lieu, s'il porte la soutane dans le lieu de sa résidence, et si du moins il conserve la soutanelle lorsqu'il sort, et s'il porte la marque d'un prêtre en la tonsure de ses cheveux.

En quatrième lieu, s'il ne fréquente pas le cabaret, et s'il n'a point encouru pour ce sujet, ou pour quelqu'autre, les peines portées par les statuts du diocèse, et s'il ne donne aucun sujet de scandale par le jurement, le jeu, la chasse, le trafic sordide, l'exercice de la médecine, ou chirurgie, la fréquentation des femmes, ou autrement.

Quoique les articles traités ci-dessus regardent principalement la conduite des curés, dont nos *Doyens* nous doivent rendre compte dans l'étendue de leurs *Doyennés*, comme chaque curé le doit faire, à l'égard de tous les ecclésiastiques qui sont dans l'étendue de sa paroisse; si néanmoins le *Doyen* rural apprend quelque désordre de quelque ecclésiastique que ce soit, même des réguliers, il sera tenu de nous en instruire.

Enfin, s'il est arrivé que quelque curé soit mort dans l'étendue de son *Doyenné*, il nous fera connoître le soin qu'il en aura pris, et la manière dont il aura été assisté, et en cas que le déport soit ouvert, de quelle manière il est desservi.

A l'égard de l'église, il nous dira si elle est bien entretenue: si elle est suffisamment ornée: si le cimetière est fermé: s'il y a des annexes ou chapelles: si elles ne

sont point en ruine, et si les charges en sont acquittées ; et en cas que les églises, annexes, chapelles ou presbytères soient en désordre, il nous marquera ceux qui doivent être poursuivis pour ce sujet.

A l'égard des paroissiens, il nous informera du scandale public, s'il y en a, de l'usure, de l'inobservance des fêtes et dimanches, des superstitions qui pourroient se glisser, de l'abus des processions, pèlerinages et confrères.

Il reduira à cet article les entreprises qui pourroient être faites par les hérétiques.

CC. Norman. P. II. p. 593.

SS. Constantienses.

SECT. V.—*Diocese of Melun.*

INSTRUCTIONS TO *Deans Rural* OF THE DIOCESE OF MELUN, A.D. MCCCLXV.

INSTRUCTIO *Decanorum* TÀM IN CURSU VISITATIONIS, QUÀM EXTRA.

QUONIAM ex decretis sanctorum patrum statutum est et sancitum, ne venerabile nomen episcopi vilesceret, non ad modicam civitatem, sed ad venerabilem locum aditulantus est et nominandus episcopus: qui etsi valdè idoneus sit, mandata tamèn cœlestia efficacius exsequatur, si onera sua partiatur, et sicùt matriçi præest ecclesiæ, ità archipresbyteri de plebe et rurales decani statuuntur, qui non solùm imperiti et simplicis vulgi sollicitudinem et curiosam gerant affectionem, verùm presbyterorum, qui per minores titulos et ecclesias habitant, vitam jugi circumspectione custodiant, in quâ unusquisque industriâ divinum opus exerceat, episcopo suo denunciât, ut in nullo titubet ecclesiastica sollicitudo, sciat se dictorum archipresbyter unusquisque in suæ visitationis cursu et extra ad sequentia capitula ex suscepti regiminis debito obligari.

Primò, cùm archipresbyterum aut decanum ad ecclesiam visitationis causâ declinare contigerit, non solus, sed duobus fide dignis, aut publico tabellione, si ejus fuerit hujusmodi facultas, comitatus ecclesiæ rectorem, et clericum, matricularios *, seu gagiaros *, et parochianos competenti numero secundùm sui discretionem qui ecclesiæ magis affecti fuerint, advocet: quibus præsentibus, infra statutum tempus adimpleat.

* * * " *Ædituos quibus cura est adis sacra.*"—Ducange.

Inquirat igitur de ecclesiæ subjectione in se, videlicet ad cuius pertineat ordinationem seu collationem, sive domini Meldensis, aut alterius presentantis, vel patroni, quod in visitationis rotulo primum declaretur. Inquirat etiam circa ecclesiæ rectorem, si intitulatus ad eam, id est verus curatus resideat in eadem, et si non, cum per sacros canones sine licentiâ prælati à curâ non liceat quemquam recedere, inquirat de causâ non residentis, et videat litteras scholaritatis, aut aliam dispensationem, si quam habeat, et scribat in visitationis rotulo.

Item, et si verus intitulatus seu curatus se scholarem prætendat, nisi de scholaritate et privilegio doceat incontinenti, vel saltem in synodo fidem fecerit, super quo rescribat Decanus, fructus beneficii arrestet, et committat secundum formam infra scriptam.

Item, cum curatus secundum canonum præcepta in sacro presbyteratûs ordine debeat constitui infra anni spatium à tempore adepti beneficii, inquirat super eo Decanus: et si non promotum ad sacrum presbyteratûs ordinem reperiat, arrestet fructus, et committat, ut prædicitur.

Item, et si in die sancto Sabbati Paschæ non sit præsens ecclesiæ curatus, ex ejus diocesis statuto synodali fructus beneficii domino acquisiti sunt, nisi de non residendo fuerit cum eo dispensatum: fructus beneficii ad manum domini ponat, et arrestet, nisi de dispensatione aut aliter ordinatione per dominum factâ, litteraliter et in continenti fiat sibi fides.

Item, et fructus beneficii eorum qui in synodo non interfuerunt arrestet, et ad manum domini ponat. Et super omnibus his arrestis caveatur, ut statim post arrestum idoneos committat et fide dignos, qui solvendo sint ad receptionem fructuum et beneficii administrationem sumptibus ipsius beneficii, quam parvioribus et minoribus fieri poterit pro beneficii utilitate, dictisque sic commissis brevem assignet terminum, ad quem in curiâ Meldensi compareant, ut dicti beneficii administrationi per officialem et sigilliferum plenius provideatur, nec manum levant in quibuscunque casibus, nisi de expeditione fructuum per litteras patentes signeto et sigillo curiæ sigillatas ei constet sub formâ debitâ: alioquin de fructibus in damnis domino Meldensi ac aliis ad quos spectabunt satisfaciant, et aliter arbitrariè puniantur.

Item, et si reperiat Decanus cum vero curato de non residendo legitimè dispensatum esse, inquirat si deserviens seu vicarius presentatus fuerit, et per dominum approbatus: de quo incontinenti debeat sibi fidem facere per litteras domini anno pro quo visitat concessas: alioquin administrationem inhibeat eidem vicario aut commisso, cujuscunque etiam status sit, ipsumque ex officio citet pro hujusmodi excessu. Et ante diem citationis sciebat, fructusque beneficii arrestet, et committat, ut prædicitur.

Item, de vitâ et honestate rectoris parochiæ, et ejus honestâ conversatione, sive intitulatus, id est verus curatus residens sit, sive vicarius et commissus diligentèr inquirat, præsertim si tabernam in domo presbyterali teneat, si domus intra fines cemeterii sit constituta, si focariam seu concubinam secum habeat, quod omninò sub pœnis statutorum synodaliùm fieri prohibeat; et generalitèr si parochianis aut habitantibus in scandalo sit, aut per ejus defectum aliquis in administratione sacramentorum defectus fuerit.

Item, si unâ die per presbyterum etiã approbatum una solùm missa celebretur, et non duæ vel plures sine causâ speciali, de quâ per litteras domini constet, ut prædicitur, excepto Nativitatis Domini die.

Item, inquirat an in parochiâ sint aliqui excommunicatî, et à quo tempore, et si aggravati, vel re-aggravati sint, et si in excommunicationis sententiâ continuè perseverent.

Item, an apud curatum sint registra excommunicatorum, et si excommunicatî singulis diebus dominicis in ecclesiâ prono nominentur: quæ omninò fieri præcipiat sub pœnis in statutis synodalibus contentis. Et si registra non habeat curatus aut rector quicunque sit, ei præfigatur terminus intra quem à registratore curiæ copiam habeat registri manu ejus registratoris signatam.

Item, si sint aliqui publicè usurarii, sortilegi, hæretici, idolatræ, apostatæ, adulteri, et concubinariî, publicè diffamati, vel leprosi, aut de leprâ suspecti.

Item, si sint aliqui ecclesiasticam jurisdictionem impediètes: quos faciant excommunicatos denunciari singulis diebus dominicis in ecclesiâ prono* secundùm formam cedulae nuper à domino Meldensi episcopo composita valdè compendiosè.

Item, si sint aliqui per sacra prohibita detestando jurantes, qui in fide videntur malè sentire.

Item, de domo presbyterali et utensilibus presbyteratûs, et ne inter rectorem ecclesiæ, parochianos, et matricularios, eis sit aliqualis rancor, seu perseveret, quantum a possibile erit provideat, injungatque et faciat per rectorem ecclesiæ et matricularios litteras fieri sub curiæ Meldensis sigillo de concordia inter ipsos super reparationibus et utensilibus, factaque tutè sub custodia conserventur.

Item, et si martyrologium habeant curati, et præcipiat omnia donata ecclesiæ quocumque titulo in eo scribi, et relicta sive legata cum diligentia procurari per ecclesiæ rectorem et matricularium, à quolibet et quantum in se est, litterasque et

* *Familiari de rebus fidei ad populum expositione.*—Ducange.

titulos rerum ecclesiæ donatarum sub fidâ custodiâ in ecclesiæ arcâ custodiant, sub pœnis synodaliū statutorum.

Item, et idem de matriculariis, quòd ecclesiæ vel sancta relictâ procurent, et si aliqui sint redditus ecclesiæ detinentes, quòd singulis diebus dominicis excommunicati nuncientur.

Item, propter pericula quæ circa partus mulierum sæpè eveniunt, diligentèr inquirat et faciat quòd in unaquâque parochiâ una sit obstetrix jurata aut duæ juxta parochiæ multitudinem, et ad hanc eligendam et procurandum quod eligatur cogant matricularios ecclesiæ per citationem officii, si opus sit, ipsamque electam ad curiam mittant indilatè, ut examinetur, et juret, ut moris est, litterasque approbationis à curiâ obtineat, et de ejus electione rescribat, aut rescribi injungat per ecclesiæ rectorem.

Item, unumquemque rectorem ecclesiæ cogant statuta synodalia et novas constitutiones habere sub pœnâ statuti synodalis; alioquin pœna ejusdem statuti ab ipsorum quolibet exigitur. Quibus si quidem scrutatis visitando ecclesiæ statum, et sacraria, jocalia et mobilia quæcumque diligentèr scrutetur et perquirat. Primò nempe à dignioribus inchoans corpus Christi sacram eucharistiam reverentèr suscipiat, et honestè cavens circa ejus administrationem et tutelam, quædam specialia, videlicèt ut in vase mundo et honesto panno sericove honesto cooperto in armariolo vel fenestrâ sub tutâ et fidâ clave claudatur, ne possit ad illud temeraria vel prophana manus extendi ad horribilia et nefaria committenda. Nam si incautè relinquantur, is ad quem ejus custodia pertinet, tribus mensibus est ab officio suspendendus: et si nefarium quid contigerit, gravius juxta delicti qualitatem punietur.

Item, quòd duæ sint cuppæ seu duo repositoria, unum videlicèt quod pro hostiis conservandis remaneat, alterum quod ad infirmos deferatur.

Item, quòd secundùm parochianorum multitudinem et temporis dubium, duæ vel tres aut plures hostiæ conserventur, quæ sæpè renovoentur propter corruptionis pericula. Et super hiis et super aliis quæ sequi possunt, doceant sacerdotes secundum sua synodalia statuta fore discretos.

Item, et continuè lumen seu lampas ardeat ante corpus Christi, qui est candor lucis æternæ. Secundò, ad sanctum Chrisma descendens, illud in vase sano, honesto et integro custodiri faciat, et quod de quolibet oleo sit competentèr in vasis distinctis: super quorum quolibet cedula sit continens, OLEUM &c. clarè scripta, ne uno pro reliquo sacerdos inadvertentèr utatur.

Item, et quod in tutâ fenestrâ seu armariolo Christi corporis inferiore cum clave securâ custodiatur, ne ad illud, ut prædicatur, profana et nefaria manus extendatur,

quod et de fontium lapide advertat qui mundi servandi sunt. Tertiò quod calix integer sit argenteus, non cupreus, aut de stanno, et quod bonum habeat repositorium: et si facultas ecclesiæ patiat, quod duo sint calices *Reliquum desideratur in MS. codice.*

Statuta Synodalia Ecclesiæ Meldensis, Anno MCCCLIV.
Thesaurus Novus Anecdotorum. Tomus quartus (col. 926, seqq.)
Studio et operâ Edmundi Martene et Ursini Durand,
Lutetiæ Parisiorum, MDCCXVII.

SECT. VI.—Diocese of Metz.

REGULATIONS FOR THE OFFICE OF Archpresbyter-tutor IN THE DIOCESE OF METZ, BY BISHOP CARDINAL D'ESCARS, A.D. MDCK.

I. PENES se habeant archpresbyteri librum, in quo parochorum, capellanorum, omniumque sacerdotum, in suo archpresbyteratu consistentium nomina descripta sint. Annotentque, quibus ecclesiis, et beneficiis præsent, vel inserviant, à quibus ea obtineant, vel approbati sint, ad iis inserviendum, aut confessiones audiendum, neque liceat cuiquam quocunque prætextu beneficiis ullis inservire, quoquo modo, priusquam nomen suum archpresbytero dederit, inscriptusque fuerit in ejus catalogo.

II. Visitent singulis annis, et lustrent sibi subditas parochias archpresbyteri, comitante procuratore capituli, vel alio, quem elegerint, idoneo, et perito sacerdote: inquirantque diligentèr de vitâ, et moribus subditorum: et advertant sedulò, num aliquid desit ecclesiis, et illud statim suppleri curent. Eos tamen charitatè excipiant parochi, qui ne nimis et superfluis sumptibus graventur, curent archpresbyteri. Dividantur verò sumptus ex æquo in visitatos: refundantque singuli ei, qui visitantes hospitio exceperit, quod per schedulam archpresbyteri manu signatam jubebuntur: eamque penes se reservent visitoribus generalibus tradendam.

III. Agant archpresbyteri seriò tam cum parochis ipsis, quàm cum scabinis, atque aliis piis viris cujusque loci, ut fractæ, quæ passim occurrunt, cruces restituantur, et in locis celebrioribus novæ defigantur.

IV. Teneantur omnes parochi infra mensem à publicatione præsentis statuti residere personalitèr in suis parochiis: non obstantibus quibuscunque licentiis, quas

omnes revocamus, et revocatas declaramus, sub pœnis statutis contra non residentes in beneficiis curatis. Attendant verò diligentè archipresbyteri, num quis fortè huic decreto non pareat, nosque, vel vicarium nostrum generalem certiolem quamprimum reddant.

v. Archipresbyteri in bannis, seu proclamationibus matrimonialibus sub pœnâ decem francorum, ne dispensent quocunque prætextu; multo verò minus cæteri parochi.

vi. Inquirant archipresbyteri sedulò, an fabricarum hospitalium, et locorum piorum redditus in alios usus, quam debeant, convertantur: si quem abusum reperiunt, ad officiales nostros deferant, qui reliquam pecuniam in locorum reparationes, vel ornamenta converti curent.

vii. Si qua sacra loca belli, vel temporis injuriâ diruta reperiantur, curent archipresbyteri eorum statum, situm, nuncupationes, bona, redditus, et onera notare: nobisque quamprimum, saltè intra sex menses, significare: ut de translatione beneficiorum simplicium in iis locis existentium decernamus, et contra illicitos bonorum ecclesiasticorum detentores procedamus.

viii. Omnibus archipresbyteris, et eorum cuilibet præcipimus, quatenus nomina, et cognomina omnium parochorum, et vicariorum suorum ad sacerdotium non promotorum, non residentium, nec non excommunicatorum, et publicorum concubinariorum, usurariorum, et aliorum id generis damnatæ conversationis, si qui forsitan sint, à domo Dei deiciendorum, ad fiscales nostros, omni excusatione semotâ, infra duos menses deferant.

ix. Sciant archipresbyteri se idè aliis presbyteris esse prælatos, ut eorum salutem nobiscum invigilent: utque eorum mores, actiones, verba, immò et omissiones, quo viciniore illis sunt, diligentius observent, ac delinquentes ad nos, aut officiales nostros deferant. Idcirco officii sui memores caveant, ne delinquentibus ipsis ullo pacto, ullove prætextu conniveant. Sed, si quis ex parochis, aliisque subditis suis adversus decreta hæc nostra, vel eorum aliquod, aut egerit, aut agere omiserit, eum omnino deferant. Alias negligentiae pœnas arbitrarías luant. Cujus negligentiae, immò potiùs conniventiae toties rei habeantur, quoties ab alio aliquo, priusquam ab ipsis, criminosos deferri, et crimina probari contigerit.

x. Singulis annis fiat capitulum rurale, à quo nemo absit sine causâ legitimâ, eaque archipresbytero probatâ.

xi. Convocatis omnibus deferat unusquisque suas difficultates in scriptis ad archi-

presbyterum: isque, quæ erunt gravioris momenti, ad nos, aut vicarium nostrum deferat.

XII. In ecclesiâ suo quisque loco sedeat cum gravitate, et modestiâ superpellicio indutus decentè cum pileo quadrato, et tonsurâ clericali, quam coronam vocant. Nemo ex ecclesiâ discedat absque archipresbyteri licentiâ, et, ut omnes bini, et bini in ecclesiâ convenire debuerunt sequente archipresbytero, ita et egrediantur eodem ordine, subsequente etiam archipresbytero, qui solus stolam deferet.

XIII. Assidente mensæ archipresbytero, omnes assideant, surgente, surgant: nemo ad æquales haustus provocet socium, vel importunis sermonibus lectorem impediat, aut adstantes.

XIV. In missâ cantent omnes modestè præeuntibus cantoribus: nemo nimium festinet; in celebrandâ item missâ, quam omnes, ubi commodè fieri poterit, celebrabunt, is ordo servetur, quem designaverit archipresbyter ex scripto affixo, loco conspicuo ecclesiæ.

XV. Liceat unicuique servatâ modestiâ, si quid habeat, quod correctione, vel mutatione egeat, illud proponere, neque ullam inde timeat sibi conflandam invidiam.

XVI. Quod propositum erit: si tale sit, quod expediri possit, extemplò illud ex consilio capituli, vel peritorum expediatur; si vero res maturiori examine egeat, ad nos, aut vicarium nostrum referatur.

XVII. Librum habeat archipresbyter, in quo statim describi curet, et resolutiones, monitionesque factas, ut suprâ dictum est, suoque signo, et procuratoris sui, item et secretarii, quem elegerit, totum roboret, et confirmet.

XVIII. Caveant diligentè parochi, ne, quo tempore ipsi in unum convenientes debent efficacius ad virtutem populis præbere exemplum, majorem ruinæ ansam præbeant. Longè vero absint omnes crapulæ, et ebrietates, discordiæ, contentiones; inter convivandum sit unus semper lector, qui toto prandio selecta aliquot ex sacris literis capita, altâ, et intelligibili voce legat, quem nemo inturbet.

XIX. Omnibus exactè consideratis, absolutisque omnibus, dimittat omnes parochos in pace archipresbyter: neque cuiquam ante dimissionem exire liceat. Datâ, et acceptâ exeundi licentiâ, recedant unusquisque in suas parochias: cauponas ne intrent, neve in iis computationibus vacent.

XX. Si quis autem adeò sui sit immemor, et negligens, ut inebrietur, statim mulctâ decem francorum emendetur ab archipresbytero pro unâ vice, vel ulteriore etiam pœnâ pro ratione scandali; cedat vero ea mulcta archipresbytero pro tertiâ parte, et procuratori pro reliquis, in usum ecclesiæ capitularis.

XXI. Novos parochos ne sumptibus gravent: neve ab iis in ingressu aliquid ultra

decem francos exigant capitulares, ubi hactenus consuevit aliquid exigi: ubi tamen ea consuetudo non fuit, nihil omninò exigatur.

xxii. Quas ex antiquâ consuetudine solvent in ingressu parochi pecunias, in communem usum recipiat procurator capituli: earumque rationem coram omnibus, qui interesse voluerint, reddat: viderintque archipresbyteri, ne superfluis sumptibus consumant, quod pro necessitatibus reservatum oportuit.

xxiii. In ecclesiis, ad quas ex antiquo convenire solent parochi celebraturi suum capitulum rurale, a collatoribus, scabinis, vel parochianis tot altaria decentèr instruantur, totque sacræ vestes, et ornamenta missæ necessaria parentur, ut singuli parochi missam dicere possint: hoc, nisi factum fuerit, liberum sit archipresbytero, et parochis aliam ecclesiam sibi benè visam commodam eligere, et ad eam convenire.

xxiv. Præmissâ missâ de Spiritu Sancto, Dei timorem præ oculis habentes ex parochis eum eligant in archipresbyterum, qui, et vitæ probitate, et scientiâ cæteris prælucere possit, quique morum gravitate, sermone, et exhortationibus cæteros in officio continere possit. Illud autem maxime caveant, ne quem impudiciæ suspectum assumant.

xxv. Electionem factam archidiaconis, ut moris est, repræsentent, et personam; quo ab iis juxta sacras constitutiones discussio diligens, et exacta super moribus, et doctrinâ electi, fieri possit.

xxvi. Archipresbytero confirmato, ut par est, parochi obedient: alias castigandâ pro meritis ab officialibus nostris.

CC. *Germaniæ*, Tom. viii. p. 969.

SECT. VII.—Diocese of Rheims.

ARTICLES OF INQUIRY FOR *Deans Rural* OF THE DIOCESE OF RHEIMS,
BY ARCHBISHOP HINCMAR, A.D. DCCCLXXVIII.

CAPITULA QUIBUS DE REBUS MAGISTRI ET *Decani* PER SINGULAS ECCLESIAS
INQUIRERE, ET EPISCOPO RENUNTIARE DEBEANT.

HÆC omni anno investiganda sunt à magistris et *decanis* presbyteris per singulas matrices ecclesias, et per capellas parochiæ nostræ, et nobis Kalendis Juliis renun-

tianda. Similiter etiam investigandum et renuntiandum est nobis, qualiter observentur et custodiantur illa, quæ capitulatum observanda presbyteris dedimus.

i. Inquirendum in quâ villâ, aut cujuslibet sancti honore, prætitulatus sit presbyter, vel à quo fuerit ordinatus.

ii. Si habeat mansum habentem bunnaria* duodecim, præter cœmeterium, et cortem, ubi ecclesia et domus ipsius continetur, aut si habeat mancipia quatuor.

iii. Quot mansos habeat in suâ parochiâ ingenuiles et serviles, aut accolas, unde decimam accipiat.

iv. Qualia sint indumenta altaris, quot nova et quot vetusta, qualiter nitida. Quo metallo sint capsæ et cruces coopertæ. Aut si diligentè reconditæ sunt reliquiæ in altari. Si ipsæ capsæ seris munitæ sunt.

v. Quos et quot libros habeat, aut si benè recitati.

vi. Qualia aut quot sacerdotalia vestimenta habeat, et qualiter sint nitida, aut in nitido loco collocentur.

vii. Si habeat locum præparatum, ubi effundi possit aqua quandò abluuntur vasa altaris, aut os vel manus post perceptionem sacre communionis. Aut si ipse presbyter propriis manibus, aut diaconus, aut subdiaconus ejus, lavet primò corporale.

viii. Quo metallo sit calix et patena, aut quâ diligentia custodiantur, aut si habeat pyxidem, ubi congruè possit recondi sacra oblatio reservanda ad viaticum infirmis.

ix. Ut chrisma et oleum consecratum sub serâ recondantur.

x. Si ipse presbyter visitet infirmos, et inungat oleo sancto, et communicet per se, et non per quemlibet, et ille ipse communicet populum, nec tradat communionem cuiquam laico ad deferendum in domum suam causâ cujuslibet infirmi.

xi. Si habeat clericum, qui possit tenere scholam, aut legere epistolam, aut canere valeat, prout necessarium sibi videtur.

xii. Investigandum nihilominus de luminaribus ecclesiæ, aut quot cerarios habeat ipse titulus.

xiii. Qualiter sit cooperta ecclesia, aut si sit camerata, et ut ibi columbæ vel aliæ aves non nidificent, propter immunditiam, vel importunitatis inquietudinem.

xiv. Quo metallo habeant ibidem signa.

xv. Si atrium habeat munitum. Aut si cellam propriam habeat juxta ecclesiam, aut si suspiciosa in circuitu ostiola sint.

xvi. Ut ex decimis quatuor portiones fiant juxta institutionem canonicam, et ipsæ

* "*Mensuras quasdam terræ sicut jugera.*"—Spelman. in v.

sub testimonio duorum aut trium fidelium studiosè et diligenter dividantur. Et ut de duabus portionibus, ecclesiæ et episcopi, ratio reddatur per singulos annos, quid indè profecerit in ecclesiâ.

XVII. Ut matricularios habeat juxta qualitatem loci, non bubulcos aut porcarios, sed debiles et pauperes, et de eodem dominio. Nisi fortè ipse presbyter habeat fratrem, aut aliquem propinquum debilem, aut pauperrimum, qui de eadem decimâ sustentetur. Reliquos autem propinquos, si juxta se habere voluerit, de suâ portione vestiat atque pascat.

XVIII. Investigandum similiter, si nihil patrimonii habens, quandò provectus est ad ordinem ecclesiasticum, postea emerit prædia, cujus juris sint; quoniâ ecclesiæ, ad quam de nihil habentibus promotus est, esse debent juxta canonicæ auctoritatis decretum.

XIX. Inquirendum, si occasione hujus præcedentis capituli aliquis presbyterorum abhinc de redditibus ecclesiæ, vel oblationibus ac votis fidelium, alieno nomine res comparaverit, et ibi structuras fecerit, vel quæ ad ecclesiam pertinent ibi collocaverit, et mulierum frequentationem inibi fieri permiserit, vel, quod turpius est, tales mulieres ibi habuerit, quæ lanificium suum exerceant, et curam domûs agant: et ad eadem loca presbyter incongruè recurrerit, frequentaverit, vel manserit, quoniâ contra decreta canonum hoc malum agitur, à quibus perpetratur. Quia sicut nec suo, ita nec alieno nomine presbyter, vel quilibet sub regulâ, fœnus exercere debet, multò minùs autem fraudem facere de facultatibus ecclesiasticis, quoniâ hoc agere sacrilegum est, et par crimen Ananiæ et Sapphiræ, atque Judæ furis, qui sacras oblationes, quæ ad usus fidelium ac pauperum mittebantur, asportabat et furabatur. Nam aliud est sine dispendio ecclesiæ amicis vel parentibus pauperibus, aut quibuslibet necestuosis (*i. e.* indigentibus *gl. marg.*), ex caritate cum mensurâ et ratione subvenire, vel adjutorium ferre, et aliud cum destructione ecclesiæ, vel dissipatione facultatum ecclesiasticarum, quasi furtim, immò furtim, quæ ecclesiæ esse debuerant, et usibus illius ac pauperum seu hospitum impendi, carnalium carnaliter usibus sine divino respectu inservire. Et de nihil habentibus promotus presbyter non præsumat quæ de facultatibus ecclesiæ comparaverit vendere, vel quasi ad causam Dei tradere, nisi ad ecclesiam cujus propriæ esse debent, sine consultu episcopi.

XX. Inquirendum, si de tabernis et de comessionationibus, et de familiaritate indebitâ mulierum se custodiant presbyteri, sicut sæpissimè interdiximus et interdicimus, quia ad contumeliam nostram laici me petunt, ut si evidentè cum testibus, quo negari non possit à quoquam, presbyterum in tabernis invenerint, caballum et cappam inde eis habere liceat. Quapropter si abhinc presbyteri se de talibus non caverint, quia

divinum non timent iudicium, temporalem illis inveniēmus contumeliā, et sæculare illorum incorrigibilitati adinveniēmus detrimentum.”*

After which are subjoined other instructions “de illicito clericorum accessu ad fœminas, et quâ ratione de illo arguendi vel purgandi sint.”

Ex Hincmari Capit. et Coronat. Oper. Tom. i.

SECT. VIII.—1. *Diocese of Rouen.*

PRECEPTS FOR *Deans Rural* OF THE DIOCESE OF ROUEN.

PRÆCEPTA *Deanibus* FACTA POST SYNODUM HYEMALEM.

A.D. MCCKLV. ET DATA EIS IN SCRIPTA.

IN primis ut *Præcepta* sua *Synodalia* antequàm recedant corrigant secundum nostra, quæ fuerunt in synodo recitata, et infra mensem faciant eodem modo ad sua præcepta correctâ, corrigi omnium presbyterorum præcepta.

Item, ut diligentèr et sine morâ inquirent, qui de suis presbyteris vel personis defuerunt synodo in supellicio et cum stolâ. Et illos qui sunt personæ et vicarii: et non interfuerunt in supellicio.

Item, omnes illos presbyteros et personas, qui in synodo cum supellicio capucium tenuerunt. Super quibus si opus fuerit eos astringant proprio juramento, et omnibus quos culpabiles invenerint diem competentem assignent, ut coram domino archiepiscopo compareant cum literis detant, ab eodem archiepiscopo punitionem recepturi.

Item, præcipimus detant, ut emendas fidelitèr colligant et sine morâ, nemini dando dilationem sine mandato officialis, et scripturam emendarum penes se retineant, ut de eis possint reddere compotum diligentem.

* The Articles of Enquiry, drawn up by Rheginon for the use of the bishops and their officers, in Germany and other Continental States, are so little different from these of the diocese of Rheims as to render it unnecessary for me to extract them from the *CC. Germanis*—where they occur in Vol. II. p. 438—bearing the title, “*Inquisitio de his, quæ episcopus, vel ejus ministri, in suo districtu vel territorio inquirere debeant per vicos, pagos, atque parochias suas diocessos.*” They are also found in the Abbot of Prümia’s work *De Disciplinis Ecclesiasticis*.

Item, ut unusquisque *decanus* majores pœnas exigit in suo *decanatu*, et debitores earum monitione præmissâ ad solvendum censurâ ecclesiasticâ autoritate nostrâ compellat, ita quòd ipsis infra diem assignandum possint ostendere rationem. Nomina autem condemnatorum, et in quantum fuerint condemnati, tradat eis *Joannes Baston*.

Nullam causam pecuniariam, nec aliam nisi fortè ex conviciis, teneat coram se *decanus* aliquis, nec de sua excommunicatione emendam exigit, ad plus ultra quinque solidos.

Præcipitur eisdem quòd viriliter et fideliter contra baillivos et vicecomites mandata curiæ exequantur, ac etiam contra alios potentes. Qui verò negligens vel remissus super hoc invenietur, punietur : et hoc eisdem præcipient *decani* presbyteris in suis capitulis.

Præcipient etiam *decani* presbyteris, ne de cetero sigilla sua tradant suis clericis deferenda, et quòd nihil sigillent donèc diligentèr videriat quod mandatur, nec priùs sigillent donèc mandatum quod eis injungitur, diligentèr fuerit executum.

Item, præcipitur sub gravissimâ pœnâ, ne aliquis sigillet aliquem se excommunicasse de mandato curiæ, donèc publicè priùs eum excommunicaverit, vel nisi post sigillationem incontinenti eum publicaverit excommunicatum.

Præcipient etiam *decani* presbyteris, ut ante statutum tempus ab ecclesiâ, maximè pecuniæ interventu non recipiant mulieres ad purificationem, nisi de licentiâ officialis vel archidiaconi.

Præcipitur etiam presbyteris ut mulieres desponsatæ non recipiantur ad missam eo die quo fuerunt desponsatæ : sed secundâ, vel tertiâ die.

Præcipient *decani* presbyteris, quòd diligentèr singulis diebus dominicis denuntient in suis ecclesiis, secundùm quòd de novo est statutum in synodo, quòd per fidem datam per verba de futuro : nullatenùs audeant contrahere volentes se carnaliter commiscere, donèc banna fuerint completa, ne appareat aliquis contradictor.

Et faciant abjurare fornicatores hoc modo : Tu jurabis quòd de cetero non cognosces istam carnaliter, et si contrafaceres extunc habebis pro uxore tuâ. Nec de cetero in abjuratione apponatur pœna pecuniaria, maximè inter eos qui possunt matrimonialiter copulari.

Item, non recipiant *decani* breviculos pro questis faciendis, nisi priùs eos examinent cum authenticis, et tunc sigilletur unus de breviculis, et super exemplo breviculi sigillati mittantur per presbyteros ; nec propter hoc extorqueatur pecunia per *decanos*.

Item, si aliquis de questuariis philaterias suas ostenderit populo, ad faciiliùs extor-

quendam pecuniam, capiatur, et cum suis philateriis adducatur ad officialem, et hoc districtè præcipimus cappellanis et sacerdotibus universis.

Item, decanatus præcipitur ut singuli decanatus dent nobis in scriptis nomina eorum, qui non resident in ecclesiis, tam sacerdotum quàm aliorum.

Item, nomina ecclesiarum eorum qui non resident in ecclesiis suis, quas dudum mandamus se sciri [*fortè* sciscitari] per literas nostras.

Item, nomina personarum, qui se non representaverunt ad ordines.

Item, præcipimus decanatus, ut non permittant quòd aliquis capellanus firmanus [*fortè* firmarius] habeat ad firmam plusquàm unam ecclesiam.

Item, præcipimus districtè ut nullus habens curam animarum in istà diocesi, habeat aliam ad firmam, nisi fortè ex causâ rationabili, et tunc fiat de licentiâ nostrâ speciali.

Item, decanatus prohibemus expressè, ne teneant ecclesias ad firmam.

Item, decanatus præcipimus ut antequàm recedant, dent nobis in scriptis ecclesias vacantes in suis decanatibus, quæ spectant ad collationem domini archiepiscopi, tam jure patronatus, quàm lapsu temporis, vel etiam defectu personarum, cum valore ipsarum secundum quòd sciverint.

Item, de inquisitionibus ecclesiarum conquerimur, quòd malè fiunt et negligenter ab aliquibus, quia non bene quæritur de causis scientiæ, undè præcipimus quòd fiant diligentius: alioquin eos, quos in hoc culpabiles invenerimus, de cetero graviter puniemus.

Præcipimus omnibus decanatus quòd de cetero inquirent, et in scriptum redigant nomina omnium presbyterorum qui in decanatibus suis decedent, eaque deferant ad synodum recitanda, ut oremus pro eis, et singuli presbyteri faciant servitium speciale; hoc enim libentissimè debent facere, ut cum decesserint similiter fiat pro eis.

Statuimus ut antiquæ pensiones quæ à prioratibus, monasteriis solvebantur, quæ hactenus per abbatem vel monasterium à quadraginta annis et infra fuerint augmentatæ, vel denuò impositæ penitus revocentur; et eas augmentari de cetero prohibemus.

Statuimus ut iudices tam ordinarii quàm ab ordinario delegati temperent se et refrænent à generalibus excommunicationibus; nec in generali participantes excommunicent, nisi communicaverint in crimine delinquentis.

Item, sacerdotes servientes in ecclesiis procurent ut ibi sint libri necessarij, et competentia ornamenta: ita quòd ad hæc emenda parochiani principaliter, et ut in subsidium tam presbyter, quàm persona, quàm alij qui aliquos percipiant redditus in ecclesiâ, vel decimas ad eam de jure communi pertinentes, pro modo sitarum portionum, si opus fuerit,olvere compellantur.

SECT. VIII.—2. Diocese of Rouen.

INSTRUCTIONS DE MONSIEUR L'ARCHEVÊQUE DE ROUEN POUR MESSIEURS
LES *Doyens*, A.D. MDCXCI.

I. MESSIEURS les *Doyens* considéreront que selon les conciles ils sont les coadjuteurs et les ministres des évêques, et que les évêques ne pouvant s'acquitter immédiatement par eux-mêmes du devoir qui les oblige de veiller sur les ecclésiastiques, et sur les peuples de leurs diocèses, les *Doyens* sont obligés d'y contribuer par leurs soins et par leur vigilance.

II. Ils auront soin que leur vie soit exemplaire, qu'elle édifie leurs paroisses particulières, et tous les ecclésiastiques de leurs *Doyennés*; et que le bon ordre établi dans leurs familles, dans leurs églises, et dans leurs paroisses, puisse servir de modèle aux curés et aux paroisses de leurs détroits.

III. Ils veilleront soigneusement sur tous les ecclésiastiques de leurs *Doyennés*. Ils s'informeront, par toutes les voyes que la prudence leur suggérera, de leur conduite, de la résidence des curés, du service divin, de l'administration des sacrements, de la prédication de la parole de Dieu, de l'assistance des malades, de l'habit ecclésiastique, de l'état de leurs églises, et des ornemens.

IV. Ils auront une grande charité pour les curés, leur rendront de fréquentes visites, les consolent dans leurs peines, les encourageront, leur procureront la confiance de leurs peuples, les aideront de leurs avis, s'efforceront de lever ou d'adoucir les difficultés qui les pourroient arrêter, préviendront les fautes qu'ils pourroient faire, et s'ils en font quelques-unes, ils les aideront à les réparer, et à empêcher les mauvaises suites qui en pourroient arriver.

V. Ils entretiendront la bonne intelligence entre les curés, et tâcheront d'apaiser les différens qui pourroient naître entr'eux.

VI. Ils s'informeront soigneusement si on fait le catéchisme régulièrement dans toutes les paroisses, qui le fait, comment, quand, si l'on y assiste, si les curés qui ne le font pas par eux-mêmes y surveillent, s'ils ont soin que dans leurs paroisses il n'y ait point d'enfans ou autres qui croupissent dans l'ignorance.

VII. S'il y a des écoles, si ce sont les vicaires qui les tiennent, ou quelles autres personnes, s'il y a des maîtresses pour les filles, si les filles ne vont point dans les mêmes écoles que les garçons, si les enfans n'ont point de mauvais livres, si on leur fait réciter tous les jours à genoux les prières du soir et du matin en François, si on

leur inspire la modestie dans l'église, et la soumission à la maison, si on ne les souffre point dans le vice.

VIII. Ils s'attacheront particulièrement à l'éducation de ceux qui se proposent d'entrer dans l'état ecclésiastique, ils veilleront sur leur conduite, leurs études, leurs occupations, et tâcheront de découvrir leurs talens, et en rendront compte avant les ordinations.

IX. A chaque ordination on leur enverra un mémoire des prêtres qui seront destinés pour leurs *dogennéz*, et ils donneront avis s'il y en a qui quittent les paroisses où on les aura envoyé.

X. Ils assisteront autant qu'ils pourront à toutes les conférences de leurs *dogennéz*, s'informeront de ce qui s'y passe, et si l'on y est assidu.

XI. Ils auront soin particulièrement des cures qui sont en déport, de la manière dont elles sont desservies, de l'application et des talens de ceux qui les desservent. Si eux ou les fermiers conservent bien toutes choses, et ne font aucun dégât dans les églises, et dans les maisons presbytérales.

XII. Ils s'informeront de tout ce qui se passe dans leurs *dogennéz*, préviendront et reprimeront autant qu'ils pourront les désordres, les scandales, et les superstitions qui se glissent dans les paroisses et dans les mœurs des peuples.

XIII. Ils auront soin d'empêcher qu'il ne se fasse rien contre les immunités et les privilèges des églises et des personnes ecclésiastiques.

XIV. S'ils ont quelque difficulté en l'exécution de tout ce que dessus, et dans tout ce qui regarde leur charge, ils en donneront avis à monseigneur, ou à messieurs ses vicaires-généraux et autres de son conseil, auront grande correspondance avec eux, leur rendront compte de trois mois en trois mois de l'état de leurs *dogennéz*, et de tout ce que dessus, particulièrement des désordres qui s'y trouveront, et des déréglemens des ecclésiastiques, donnant pour certain ce qui est certain, et ce qui est douteux pour douteux.

XV. Ils feront tenir les mandemens et ordonnances de monseigneur dans les paroisses, et tiendront la main à ce qu'elles soient exécutées.

XVI. Ils tiendront soigneusement leurs petites calendes, y publieront les ordonnances de monseigneur, et en dresseront les procès verbal qu'ils rapporteront.

XVII. Ils mettront les curés et autres bénéficiers en possession, et donneront avis sans délai de ceux qui auront pris possession sans avoir recours à eux pour cet effet.

XVIII. Tous les vicaires et les prêtres approuvés seront tenus de se présenter devant eux, et de leur représenter leurs pouvoirs dont ils tiendront note par devers

eux, et observeront leur conduite, remarquant ceux qui sont les plus recommandables par leur piété, leur science, et leur application, afin d'en pouvoir rendre compte.

xix. Les prédicateurs des stations leur montreront aussi les mandemens de leur mission, et les *Doyens* rendront compte tous les ans de la manière dont ils se seront acquittés de leur emploi.

xx. Ils distribueront les saintes huiles, beniront les ornemens des églises de leurs détroits, absoudront des cas réservés des particuliers de leurs *Doyennés*, et renverront ceux qu'ils jugeront devoir être remis au commencement du carême, pour faire la pénitence publique, ainsi qu'il se pratique dans l'église cathédrale.

xxi. Ils visiteront les curés malades, leur administreront les sacremens, à moins qu'ils ne désirent de recevoir ce secours de quelqu'autre de leurs confrères, ils les consoleront, les assisteront à la mort, leur rendront les derniers devoirs, et auront soin que les papiers et les meubles de l'église ne soient point dissipés.

xxii. Ils donneront incessamment avis des cures et des bénéfices vacans.

xxiii. Ils travailleront de concert avec les témoins synodaux qui sont établis pour veiller avec eux dans la partie du *Doyenné* où ils sont placés.

CC. Norman. P. II. p. 153.

Synodi Rotomagenses.

SECT. IX.—Diocese of St. Omer.

REGULATIONS FOR Archpresbyters or *Deans Rural* OF THE DIOCESE OF ST. OMER;
FIRST PUBLISHED A.D. MDLXXXIII., AND SUBSEQUENTLY BY BISHOP DE FRANCE,
A.D. MDCXL.

I. PASTORUM decant ut benè perspecta habeant omnia quæ sui muneris sunt; ea quæ hæc de re Concilium Tridentinum et Cameracense provinciale copiosè et piè tractarunt, sæpiùs legant, et relegant atque ad praxim deducant.

II. Porro decanorum officium est, in sui decanatus partibus curare, ut sacerdotes et clerici omnes, ac singularitèr pastores vitam agant suâ vocatione dignam, ac talem, ut nemo de ipsis quæri possit: nihilque in ipsis nisi grave, modestum, imitationeque dignum conspiciatur. Quòd si ab eis (vel à quocumque ecclesiastico etiam exempto) aliquid secùs quàm deceat factum intelligant, absque ullâ dissimulatione nobis significant: ne per socordiam aut conniventiam, alienorum peccatorum rei

efficiantur, eodemque loco à nobis habeantur, quo illi qui scandala committunt. Idem quoad ecclesiasticos in suâ parochiâ degentes, sibi pastores præceptum sciant.

III. Deindè in hoc advigilent *decani*, ut pastores in prædicatione verbi Dei, sacramentorum administratione, et in omni functione pastoralis officii sui, rectè diligenterque versentur. Adhæc ipsos quandò opus fuerit visitent, moneant, corripiant, consolentur, consilio subveniant, denique veri pastoris officium erga illos sanos et ægrotos, vivos et mortuos exerceant. Parochi quoque illos vicissim pro suis pastoribus agnoscant et revereantur.

IV. Ut autem hæc et alia quorum ipsis cura incumbit faciliùs exequantur, liceat ipsis pastores sui districtis, cùm expedire judicarint, convocare, de statu et rebus ecclesiarum cum illis, vel singulis, vel omnibus simul agere, de pastoralis officio, observatione statutorum consilia inire, controversias si quæ ortæ sint, componere, aliaque agere quæ pro officio facienda ipsis incumbunt. Excessus autem cleri et populi, et defectus enormes, aut quorum non est facilis emendatio, fidelitèr nobis significant.

V. Porrò ordinariè quotannis bis convocat *decani* ad suas sedes omnes suos pastores, ad ea quæ jam diximus tractanda; semèl unâ aut alterâ hebdomadâ ante nostram synodum: iterùm unâ aut alterâ hebdomadâ ante primam Octobris. Cùm enim his temporibus *decani* coram nobis explicare debeant totum ecclesiarum suarum statum; oportet ut priùs cum pastoribus conveniant, atque hi particulariùs illis scripto expressum tradant statum illum, et excessus: denique difficultates suas declarent, ad nos unâ cum ecclesiarum statu referendas.

VI. Porrò in his *conventibus* habeatur primùm oratio latinâ aut vernaculâ linguâ in ecclesiâ: deindè agatur de iis quæ suprâ commemoravimus. Exhibeantur etiam, ut diximus, excessus in scriptis sub singulorum nomine et signaturâ: quòd si nulli excessus fuerint, illud ipsum scripto exprimatur: et hi excessus ut minimùm quindènâ ante diem synodi ordinarium ad nos mittantur.

VII. Quòd si post aliquod tempus viderint eos qui peccarant non citari, vel incuriâ officiariorum nostrorum, vel oblivione, vel aliâ de causâ; iterato ad nos vel archidiaconum suum mittant eosdem excessus, (quorum proinde copiam penes se servabunt) ne scelera impunita maneant, significabuntque ejusmodi personas nondùm esse citatas.

VIII. Afferant etiam ad hos *conventus* pastores, statuta hæc nostra, cum decretis Concilii Tridentini, et Cameracensis provincialis, affirmentque se illa pro opportunitate diligentèr legere, et observare.

IX. Ut verò majori cum libertate de suprâ dictis inter se agant, arceantur à con-

vocationibus istis omnes externi. Prandium non celebretur nisi frugale admodum, caveaturque omnino, (Decano præside curam agente) ne quæ intemperantiæ, lasciviæ, rixæ aut scandala committantur. Si quis tumultuosius egerit, aut monita Decanorum contempserit, ad nos deferatur, quoniam in perindè æstimamus, atque si nobis ipsis factum esset.

x. Decanorum adhæc officium est, novas campanas benedicere: quâ in functione caveant patrilinos aut matrilinas qui nomina campanis imponant invitare, aut permittere, sed id tantum faciant quod in manuali præscribitur. Ipsorum etiam officium est beneficiorum omnium sui Decanatus curam habere: eos quibus de curâ pastoralis, vel alio beneficio ecclesiastico provisum fuerit, visis litteris collationis nullâ sui parte dubiis, in possessionem inducere, adhibitis solemnitatibus requisitis, exactoque iurejurando consueto: quod ne à quoquam alio fiat, vetamus, etsi litteræ ad quemlibet præbiterum dirigerentur.

xi. Mortuo è pastoribus Decanatus sui aliquo, Decani rursus est, exequias celebrare, et mox à morte conscribere omnia et singula munimenta portionis pastoralis, et quæ officium pastorale concernunt: (exempli gratiâ registra baptizatorum, communicantium, matrimonio junctorum, sodalium Beatæ Virginis, &c.) et sub inventario, ne ab hæredibus distraherentur, illa apud se asservare, successori, dum institutus fuerit, sub attestatione de receptis, tradenda: nisi ejusmodi sint, quæ in archivium referri debeant. Describere adhæc omnia mobilia defuncti, et tamdiu sub arresto illa tenere, donec reparata debite domus pastoralis, et proventus curæ aliorumque, (si quæ defunctus habuerit) beneficiorum (qui à die mortis ipsius successori currere debent) si quos forsitan acceperit, restituti fuerint: denique omne æs alienum redditum, aut data pro his sufficiens cautio. Pro his autem aliisque laboribus suis accipere, poterunt quod ex laudabili consuetudine consueverunt. Porro mortuo è Decanis ruralibus aliquo, idem faciet archipresbyter civitatis, qui eorum pastor est.

xii. Volumus autem ut (quod in hac diocesi longâ consuetudine invaluit) inter defunctum pastorem et successorem proventus certi ita dividantur, ut defunctus de iis participet pro rata temporis quo supervixit, computando à festo Sancti Joannis Baptistæ unius anni, ad simile festum alterius anni: ita ut qui verbi gratiâ post festum illud supervixerit tribus mensibus, participet pro rata trium mensium: idemque servetur in beneficiis foraneis, nisi longâ consuetudine aliter practicum probetur.

xiii. Curabunt etiam Decani defunctorum litteras omnes ordinum, et beneficiorum ad nos mittere, denique quæcumque beneficiorum sive curatorum, sive aliorum munimenta, litteras reddituum, registra, manualia in quibus receptorum rationes conscribantur, quæ in domibus mortuariis invenientur, sive apud hæredes, sive apud

testamenti executores, ea omnia levent, fidelitèr servant, et nobis consultis, vel successori tradant, vel in certâ custodiâ, uti præscribemus, reponant. Idipsum præstabunt quandocumque aliquem beneficiatum in districtu suo mori contigerit.

xiv. Accepta à nobis in die Cœnæ Domini chrisma et reliqua sacramentalia, decantant non nisi in templo distribuunt, et inundas capsulas: neque aliis tradant deferenda, nisi qui sacris ordinibus initiati fuerint: qui ea deferendo ita se gerent, quemadmodum suprâ titulo secundo ordinavimus.

xv. Jam de criminibus publicis, blasphemiis, hæresi, aut hæresis suspicione, et quibuscumque aliis scandalosis criminibus, decantant nos certiores reddant, et acceptâ à nobis potestate informationem sumant: atque in his cooperentur decantant pastores, sacellani, aliique ecclesiastici, ut quæ noverunt enormia crimina, manifesta, dent, aut ut innotescant, pro virili adlaborent.

xvi. Præterea et in hoc aderunt nobis decantant pro officio suo ut singulis annis visitent decanatûs sui ecclesias, oratoria; et à visitatione rerum omnium statum nobis scribant: quod negotium quomodò instituendum ipsis erit, mox describemus. Illud hic præcipimus ut non perfunctoriè in visitatione illâ se habeant, sed ut in re maximi momenti exactissimè, et minutissimè omnia quæ notarint describant.

xvii. Porrò si contingat laicos cum pastoribus suis aut pastores inter se controversias aliquas habere, solliciti sint decantant, ut quamprimùm componantur et finiantur quâ convenit brevitate ac maturitate, quò pax animorumque concordia inter omnes servetur integra.

xviii. Quia difficile est plerisque pœnitentium, quâ sunt animi ad virtutem conversione languidâ, id persuadere, ut dùm casus aliquos nobis reservados habent, ad nos aut pœnitentiarium nostrum accedant; damus facultatem decantant, ut pœnitentes sui districtûs ab illis dùm in eos inciderent absolvere possint, donèc et quousque id nobis visum fuerit revocare: ita tamen ut extra casum illum non liceat illis, nisi de consensu pastoris loci, eos absolvere, aut aliud sacramentum administrare.

Statuta Synodi Diœcesanæ Audomar. p. 69.

SECT. X.—Diocese of Seez.

INSTRUCTIONS FOR ~~Brans~~ Rural of THE DIOCESE OF SEEZ.

STATUTS PUBLIÉZ DANS LE SYNODE TENU À SEEZ, LE SEIZIÈME OCTOBRE, MIL SIX CENS SOIXANTE ET QUATORZE, PAR MONSIEUR L'ILLUSTRISSE ET RÉVÉRENDISSE EVÊQUE DE SEEZ.

I. COMME la dignité des ~~dogens~~ ruraux a toujours été très-considérée dans l'église, et que nous prétendons en faire nos principaux ouvriers, afin qu'ils puissent plus facilement vacquer à l'obligation de leurs charges, nous ordonnons, vu l'inegalité des ~~dogennéz~~, que le nombre des paroissiens qui les composera ne sera dorénavant que de vingt-cinq ou environ, sans toutefois confondre le district de nos archidiaconéz.

II. Leur office sera de veiller sur les personnes ecclésiastiques, sur la décoration et réparation des églises, et des maisons presbitérales, en nous faisant un fidèle rapport de ce qui doit venir à notre connoissance.

III. Lorsque nous convoquerons nos synodes, ils s'y trouveront avec leurs étoles selon la coutume ; ils assembleront les curéz pour les ~~calendes~~, qui se feront tous les ans dans une de leurs églises la plus commode, où tous assisteront avec soutannes, surplis, bonnets quarréz, et après la sainte messe et prières ordinaires on y traitera des affaires et nécessité de chaque paroisse, pour ensuite nous en faire le rapport, ou à nos vicaires généraux.

IV. Les ~~dogens~~ y présideront toujours, à moins que nous n'y assistions en personne, ou quelqu'un envoyé de notre part, et feront en sorte, si l'on ne peut se dispenser de manger sur les lieux, que cela se fasse frugalement, avec modestie et à frais communs.

V. Ils recevront nos ordres, et distribueront les mandemens qui leur seront adresséz de notre part ou de celle de nos grands vicaires, ils prendront les saintes huiles de notre main pour les départir aux curéz de leurs ~~dogennéz~~, voulant désormais qu'elles ne soient portées et distribuées que par des personnes ecclésiastiques.

VI. Ils mettront les nouveaux curéz, et autres bénéficiers en possession de leurs bénéfices après la collation par nous délivrée, à moins que nous n'en ordonnions autrement. Ils vérifieront la validité des contrats de ceux qui aspirent à l'ordre sacré de soudiaconat, établissant leur titre patrimonial, qui sera au moins de six-vingt livres de rente en fonds d'héritages, suivant la coutume du diocèse, sans que

les rentes hypothèques et maisons y puissent entrer : ledit fonds sera exempt de toutes dettes, et les contrats duement insinués contrôlés et lecturez, dont il nous sera certifié que les heritages passés en titres appartiennent auxdits aspirans, ou du moins que sans fraude ils leur auront été donnés et aumônés par quelque parent ou ami capable de faire telle donation, ce que quatre témoins bons et solvables reconnoîtront par devant les notaires, et s'obligeront solidairement à faire valoir ladite somme de six-vingt livres, le droit des *Doyens* par tout gardé.

CC. Norman. P. II. p. 445.

Synodi Sagienses.

SECT. XI.—*Diocese of Verdun.*

ARTICLES OF INQUIRY AT THE VISITATION OF *Beats Rural* OF THE DIOCESE OF VERDUN, BY FRANCIS BISHOP OF VERDUN, A.D. MDCXLIX.

PRODROMUS VISITATIONIS.

PARS PRIOR.

De Visitatione Materiali.

I. *Ecclesia.*

- | | |
|---|-------------------------------------|
| 1. An Parochialis. | 14. Quando. |
| 2. Matrix. | 15. An Patroni. |
| 3. Quam aut quas filiales habeat. | 16. Quando. |
| 4. An filialis. | 17. Quibus solennitatibus. |
| 5. Quæ ejus Matrix. | 18. An polluta tota. |
| 6. An Capella curata. | 19. Qua parte. |
| 7. Cui subest. | 20. An altare pollutum. |
| 8. Sub cuius Sancti invocatione. | 21. A quo. |
| 9. An populum capiat. | 22. A quo tempore. |
| 10. Integra. | 23. Cujus <i>Detantus</i> . |
| 11. Nitida. | 24. Cujus Archidiaconatus. |
| 12. Squalida. | 25. Quis Fundator Ecclesie. |
| 13. An ipsius Dedicationis Festivitas agatur. | 26. Quis Collator, aut Præsentator. |

- | | |
|--|--|
| 27. An Catholicus. | 29. Proportionaliter eadem sit ratio de Personatu. |
| 28. An directioni bonorum se immittat. | |

II. *Tabernaculum SS. Sacram.*

- | | |
|---------------------|---|
| 1. An securum. | 5. Quis clavem habeat. |
| 2. Benè observatum. | 6. An adsit corporale Ven. Sacram. substernendum. |
| 3. Mundum. | |
| 4. Ornatum. | |

III. *Ciborium, Monstrantia.*

- | | |
|--------------------|----------------|
| 1. Ex quo Metallo. | 3. Mundum. |
| 2. An integrum. | 4. Benedictum. |

IV. *Eucharistia.*

- | | |
|---------------------------|----------------------------|
| 1. An pro ægris servetur. | 3. An facile corrumpantur. |
| 2. Quot hostiæ. | 4. Qua causa. |

- | | |
|------------------------------------|----------------------------|
| 5. Quotiès inno-
ventur. | 7. Quotiès expo-
natur. |
| 6. Quo honore ad
segrs feratur. | 8. An lumen adsit. |

V. *Lampas.*

- | | |
|---|---------------------------|
| 1. An coram Ven.
Sacram. splen-
deat lumen. | 3. An ex funda-
tione. |
| 2. Quamdiù. | 4. Cujus expensis. |

VI. *Olea sacra.*

- | | |
|------------------------------|------------------------------|
| 1. Quando reno-
vata. | 3. Unde accipian-
tur. |
| 2. Quo devenerint
vetera. | 4. Per quem defe-
rantur. |

VII. *Eorum Vascula.*

- | | |
|--------------------|-----------------------------|
| 1. Ex quo Metallo. | 4. Ubi servantur. |
| 2. An munda. | 5. Quis clavem ha-
beat. |
| 3. Bene separata. | |

VIII. *Baptisterium.*

- | | |
|-----------------------------|--|
| 1. An lapideum. | 6. An semper ad-
sit aqua baptis-
malis. |
| 2. Mundum. | |
| 3. Integrum. | 7. Quando purge-
tur. |
| 4. A periculis im-
mune. | 8. Quis clavem ha-
beat. |
| 5. Sub firma clau-
sura. | |

IX. *Reliquiæ sacræ.*

- | | |
|------------------------------|--|
| 1. An habeantur. | 6. An exponantur. |
| 2. Nominibus di-
stinctæ. | 7. Ubi asserventur. |
| 3. Ornata. | 8. Quomodo. |
| 4. Thecis incluse. | 9. Quomodo de his
literæ, vel monu-
menta. |
| 5. Qualibus. | |

X. *Imagines Sanctorum.*

- | | |
|------------------------------|---------------------------|
| 1. Quorum. | 5. An imago Pa-
troni. |
| 2. An mutilæ. | 6. Honesta. |
| 3. Deformes. | 7. Bene constituta. |
| 4. Vetustate con-
sumptæ. | 8. Ornata. |

XI. *Picturæ.*

- | | |
|--------------------|--|
| 1. An vanæ. | turarum, & tradi-
tionibus Ecclesi-
asticis conformes. |
| 2. Indecentes. | |
| 3. Veritati Scrip- | |

XII. *Altaria, Vicariæ, Capellæ in
Ecclesia, ejusve districtu.*

- | | |
|--|--------------------------------------|
| 1. Quot. | 4. An mensa alta-
ris consecrata. |
| 2. Quinam eorum
Tituli. | 5. E solido lapide. |
| 3. Quinam Colla-
tores aut Patroni. | 6. Integra. |
| | 7. Humida. |

XIII. *Candelabra.*

- | | |
|----------|------------|
| 1. Quot. | 2. Qualia. |
|----------|------------|

XIV. *Antipendia.*

- | | |
|----------|------------|
| 1. Quot. | 2. Qualia. |
|----------|------------|

XV. *Mappæ.*

- | | |
|---------------------|--------------------------------------|
| 1. An sufficientes. | 5. An imago Cru-
cifixi in medio. |
| 2. Integræ. | |
| 3. Benedictæ. | 6. An pulvinar pro
Missali. |
| 4. A quo. | |

XVI. *Fenestræ.*

- | | |
|------------------|------------------|
| 1. An integræ. | 3. Satis munitæ. |
| 2. Sufficientes. | |

XVII. *Pavimentum.*

- | | |
|-----------|---------------|
| 1. Quale. | 2. An mundum. |
|-----------|---------------|

XVIII. *Janua.*

- | | |
|---------------------------|----------------|
| 1. Quando aperia-
tur. | 3. An integra. |
| 2. Claudatur. | 4. Tuta. |

XIX. *Vas aquæ benedictæ.*

- | | |
|----------------------------------|--|
| 1. An. | 5. An etiam penes
Ecclesiam januam
ingredientibus
præsto sit. |
| 2. Quale. | |
| 3. An aspergillum. | |
| 4. Quando bene-
dicatur aqua. | |

XX. *Sedilia.*

- | | |
|----------------|-----------------------------------|
| 1. An commoda. | 4. Qua auctoritate
constructa. |
| 2. Nimis alta. | |
| 3. Collapsa. | 5. Cujus expensis. |

XXI. *Sepulturas eminentes an Laici
habeant.*

- | | |
|-----------------|------------------------------------|
| 1. In Choro. | 5. Qua auctoritate. |
| 2. In Ecclesia. | 6. An illi sint Be-
nefactores. |
| 3. Recentes. | 7. An Patroni. |
| 4. Antiquas. | |

- | | |
|--|---|
| 8. An debite præparentur. | 11. Quantum. |
| 9. Cujus expensis. | 12. An Catholici debitis cum cæremoniis, & tempore commodo terræ mandentur. |
| 10. An earum intuitu aliquid accedat Ecclesiæ. | |

XXII. *Suggestus.*

- | | |
|---------------------------|--------------------|
| 1. An debite constructus. | 2. An loco comodo. |
|---------------------------|--------------------|

XXIII. *Organum.*

- | | |
|--------------------|--------------------------|
| 1. An sit. | 3. Quomodo manuteneatur. |
| 2. A quo pulsetur. | |

XXIV. *Confessionalia.*

- | | |
|-------------------------------------|-----------------------|
| 1. An in propatulo & visibili loco. | 2. An cum fenestellâ. |
| | 3. Pluteus, qualis. |

XXV. *Vexilla.*

- | | |
|------------------------|---------------------|
| 1. Quot. | 4. An integra. |
| 2. Quando iis utantur. | 5. Ubi recondantur. |
| 3. A quo ferantur. | |

XXVI. *Cruz.*

- | | |
|---|--------------------------|
| 1. An habeatur pro defunctorum sepultura. | 2. Pro hebdomada sancta. |
|---|--------------------------|

XXVII. *Sepulchrum pro Hebdomadâ Sanctâ.*

- | | |
|--------------------------|------------------------------------|
| 1. Quale. | 4. An Imago Resurrectionis Domini. |
| 2. Quo loco. | |
| 3. Quomodo ornari solet. | |

XXVIII. *Sacristia.*

- | | |
|---------------------------------------|-------------------------|
| 1. An rebus sacris conservandis apta. | 3. Squallida. |
| 2. Humida. | 4. Inutilibus impedita. |

XXIX. *Janua.*

- | | |
|------------------|------------------------|
| 1. An firma. | 3. Quis clavem habeat. |
| 2. Bene occlusa. | |

XXX. *Fenestræ.*

- | | |
|---------------------|---|
| 1. An sufficientes. | 4. An ad lotionem manuum gutturium, manutergia. |
| 2. Aptæ. | |
| 3. Munitæ. | |

XXXI. *Oratorium.*

- | | |
|---------------------|-----------------------|
| 1. An cum scabello. | 3. Tabella Oratorium. |
| 2. Imagine sacra. | |

XXXII. *Locus induendi.*

- | | |
|-----------------|----------------------|
| 1. An commodus. | 2. Cruce instructus. |
|-----------------|----------------------|

XXXIII. *Armariæ pro ornamentis.*

- | | |
|--|-------------------|
| 1. An distinctis capisulis. | 3. Patenæ. |
| 2. An debite conserventur sacri Calices. | 4. Corporalia. |
| | 5. Purificatoria. |
| | 6. Vela. |

XXXIV. *Calices.*

- | | |
|--------------------|--------------------------------|
| 1. Quot. | 5. Consecrati. |
| 2. Ex qua materia. | 6. Cum patenis convenientibus. |
| 3. An sine vitio. | 7. Adsint sacculi linei. |
| 4. Mundi. | |

XXXV. *Vela Calicum.*

- | | |
|---------------------|-------------|
| 1. Quot. | 4. Parva. |
| 2. Qualia. | 5. Immunda. |
| 3. An nimis crassa. | |

XXXVI. *Thecæ Corporalium.*

- | | |
|----------|------------|
| 1. Quot. | 2. Quales. |
|----------|------------|

XXXVII. *Corporalia.*

- | | |
|------------------|-------------|
| 1. Quot. | 4. Munda. |
| 2. Qualia. | 5. Integra. |
| 3. An benedicta. | 6. Signata. |

XXXVIII. *Purificatoria.*

- | | |
|---------------|--------------------------|
| 1. Quot. | 6. A quo laventur. |
| 2. An munda. | 7. Quoties. |
| 3. Signata. | 8. Pallæ ex qua materia. |
| 4. Sat magna. | |
| 5. Benedicta. | |

XXXIX. *Pro Celebrante.*

- | | |
|-------------------|---------------|
| 1. An manutergia. | 2. Sudariola. |
|-------------------|---------------|

XL. *Hostiæ.*

- | | |
|------------------------|-----------------------|
| 1. Unde habeantur. | 3. Quomodo servantur. |
| 2. Quoties renoventur. | |

XLI. *Vinum.*

- | | |
|-------------------|---------------------|
| 1. Unde habeatur. | 2. Ubi conservetur. |
|-------------------|---------------------|

- | | |
|--------------------|------------------|
| 3. Quomodo. | tam panis et vi- |
| 4. Utrum acetosum. | num submini- |
| 5. Cujus expensis | stretur. |

XLII. *Urceoli.*

- | | |
|-------------------|-------------------|
| 1. Quot. | 4. An patella. |
| 2. Quales. | 5. An tintinnabu- |
| 3. An literis di- | lum. |
| stincti. | |

XLIII. *Pro Communicantibus.*

- | | |
|-------------------|-----------------|
| 1. An scabellum. | 5. An navicula. |
| 2. Linteam. | 6. An cochlear. |
| 3. Scyphus. | 7. An thus. |
| 4. An thuribulum. | |

XLIV. *Lucerna, quæ SS. Sacram. ad agros præfertur.*

- | | |
|------------|-------------------|
| 1. An. | 3. An in alium u- |
| 2. Qualis. | sum adhibeatur. |

XLV. *Canulæ cum Stolis et manipulis.*

- | | |
|-------------------|-------------------|
| 1. Quot. | 6. An habeantur |
| 2. Quales. | tunicellæ et dal- |
| 3. Cujus coloris. | maticæ, ubi his |
| 4. An integræ. | opus. |
| 5. Benedictæ. | |

XLVI. *Pluvialia.*

- | | |
|------------|-------------------|
| 1. Quot. | 3. Cujus coloris. |
| 2. Qualia. | |

XLVII. *Albæ cum amictu et cingulis.*

- | | |
|-----------------|---------------|
| 1. Quot. | 4. Integræ. |
| 2. An bene for- | 5. Mundæ. |
| matæ. | 6. Benedictæ. |
| 3. Firmæ. | |

XLVIII. *Superpellicea.*

- | | |
|----------------|-----------|
| 1. Quot. | 3. Munda. |
| 2. An integra. | |

XLIX. *Circa libros.*

- | | |
|-------------------|---------------------|
| 1. An Missale. | 7. Processionale. |
| 2. Cum suis indi- | 8. Directorium |
| cibus. | Officii. |
| 3. An novum Co- | 9. Agenda Colon. |
| lonien. | 10. Liber Baptiza- |
| 4. Graduale. | torum. |
| 5. Antiphonarium. | 11. Confirmatorium. |
| 6. Psalterium. | 12. Conjugatorium. |

- | | |
|---|--|
| 13. Familiarum & nominum Parochianorum. | 16. Legatorum. |
| 14. Defunctorum. | 17. Processionum. |
| 15. Anniversario- | 18. Catalogus seu inventarius totius suppellectilis sacræ. |
| rum. | |

L. *Archivium.*

- | | |
|--------------------------------|---|
| 1. An tuto loco. | 5. Quæ. |
| 2. An liberum a putredine. | 6. An habeatur Registrum, seu liber copiarum. |
| 3. Quis clavem habeat. | 7. An omnia ordinatè disposita. |
| 4. An literæ aliquæ distractæ. | |

LI. *An sarta tecta sint.*

- | | |
|-------------|--------------|
| 1. Tectum. | 3. Parietes. |
| 2. Columnæ. | |

LII. *Quis teneatur in decenti structura conservare.*

- | | |
|-------------------|---------------------|
| 1. Chorum. | 6. Januas. |
| 2. Summum altare. | 7. Septa Cœmeterii. |
| 3. Navem. | 8. An id fiat. |
| 4. Fenestras. | 9. Quare non. |
| 5. Turrim. | |

LIII. *Campanæ.*

- | | |
|---------------------------------------|---|
| 1. Quot. | aliquid ruinam minetur. |
| 2. Quales. | |
| 3. An benedictæ. | 8. An turri aut tectis Ecclesiæ columbaria appendantur. |
| 4. A quo. | |
| 5. Cujus expensis funes restaurentur. | 9. An circa Ecclesiam immundiciæ. |
| 6. An horologium. | |
| 7. An in campanili | |

LIV. *Cœmeterium.*

- | | |
|----------------------------|--|
| 1. An brutis pervium. | 7. Quando. |
| 2. An muro integro septum. | 8. A quo. |
| 3. Æquale. | 9. An immune a sepultura infantium non baptizatorum. |
| 4. Mundum. | |
| 5. Arboribus obsitum. | 10. Excommunicatorum. |
| 6. Profanatum. | |

11. A Catholicorum.
12. Publice criminorum.
13. Eorum, qui ad Communionem Paschalem obli-

gati, eandem sua socordia aut malitia neglexerunt, & absque Sacramentis sunt mortui.

Quod si ex prædictis aliqui vel in Cœmeterio, vel in Ecclesiâ sepulti sint.

- | | |
|---|---------------------------------------|
| 1. Quales illi fuerint. | 5. Qui fuerint comitati. |
| 2. Ad cujus instantiam factum. | 6. Quis campanas pulsaverit. |
| 3. Quis terram ad sepulturam composuerit. | 7. Quis gratiarum actionem habuerit. |
| 4. Quis funus gestaverit. | 8. An & qualia ædificia in cœmeterio. |

LV. Ossuaria.

- | | |
|--------------------------------------|--|
| 1. An conveniens. | 4. Ad genuflexionem antrorsum accommodata. |
| 2. Ossum aptam dispositionem habens. | 5. Processione visitetur. |
| 3. A sordibus vacua. | |

LVI.. Feretrum.

- | | |
|-----------|------------------|
| 1. Quale. | 2. Ubi servetur. |
|-----------|------------------|

LVII. Sepultura infantium non baptizatorum.

- | | |
|-------------------|---------------------------|
| 1. Ubi. | 3. A loco sacro separata. |
| 2. An muro septa. | |

LVIII. Proventus Ecclesiæ.

- | | |
|-------------------------------------|---|
| 1. Quales. | 8. Quare non. |
| 2. Quas decimas habeat. | 9. Quod si Altaria, Vicariæ, sive Capellæ sint a Pastoratu distincta, de iis sit eadem ratio, quæ de Ecclesiâ Parochiali. |
| 3. Quis majores percipiat. | |
| 4. Quis minores. | |
| 5. Quantum hoc tempore percipiatur. | Insuper si quædam Vicariæ Altaria sive Capellæ vacent, addatur ratio, in quem fi- |
| 6. Quæ bona immobilia. | |
| 7. An omnes reditus percipiat. | |

nem applicentur reditus, & quamdiu vacaverint,

cum aliis circumstantiis.

LIX. Hospitalium, Foundationes pauperum, Legata pia, Confraternitates.

- | | |
|---------------------------------------|---|
| 1. An. | 11. An præsentem Pastorem. |
| 2. Quot. | |
| 3. Qualia. | 12. Cui. |
| 4. Quâ auctoritate erecta. | 13. Num in istis rationibus fiant convivia aut sumptus inutiles in gravamen Ecclesiæ aut foundationis. De fabrica Ecclesiæ, aut eleemosynarum capsis, in Ecclesia fortasse collocatis; item de Scholis, sit proportionaliter eadem ratio. |
| 5. An confirmata. | |
| 6. An testatorum voluntati satisfiat. | |
| 7. Quos reditus habeant. | |
| 8. A quibus administrantur. | |
| 9. Quis administratores constituat. | |
| 10. An quotannis fiat computus. | |

LX. Oblationes notabiles extraordinariæ.

- | | |
|-------------------------------|---|
| 1. In quem usum convertantur. | 4. Quo præsentem. |
| 2. An earum fiat computus. | 5. Cujus ut plurimum sint contra valoris quamvis incerti. |
| 3. Cui. | |

LXI. Extinctæ Vicariæ, Hospitalia, piæ Foundationes.

- | | |
|--|---|
| 1. Cui Beneficio, Communitati aut Conventui unitæ aut incorporatæ. | 5. Quis modernus istorum bonorum Possessor. Eadem sit ratio de Ecclesiis Parochialibus aut similibus in Personatum conversis. |
| 2. A quo tempore. | |
| 3. Cujus auctoritate. | |
| 4. Quos habebant reditus. | |

LXII.

1. Quod si ex prædictis bonis, redditibus, obventionibus, aut juribus Ecclesiæ, Vicariarum, Hospitalium, Fundationum, &c. sint aliqua oppignorata, ven-

dita, permutata, imminuta, aut translata; addatur, quænam illa sint, a quo, quando, quomodo, quare, et cujus auctoritate.

2. Si quæ pensiones redemptæ, aut bonalicitè ac legitime vendita, quomodo, et per quem applicatæ sunt pecuniæ.
3. An bona quædam ab aliis de facto, et a quibus, occupata, sive deperdita, quibusque mediis ea recuperari possint, et quanta pro iis recuperandis facta fuit diligentia.
4. An pratorum, jugerum, agrorum, aliorumve elocatio, anticipata solutione, ultra triennium, vel ad quod tempus, et quibus, idque per publicum instrumentum fiat, coram iustitiâ loci, vel Notario aliquo publico, cum accuratâ designatione rerum elocatarum.
5. An dicta bona pensionibus aut oneribus sint gravata, et quibus? sive an affecta propter exactiones Domino Provinciali non solutas. Quantum adhuc debeant; quibusque mediis Creditoribus, aut Domino Provinciali satisfieri possit. An pensiones, aut onera excedant medietatem annuorum reddituum; et an Ordinarius desuper dispensaverit.
6. Si quæ bona, aut redditus Pastoralis, Vicariorum &c. sint in lite; specificenter cum debitis circumstantiis, et in quibus terminis sit causa.
7. Vel, si quædam in pium usum Ecclesiæ sint legata, nec ab Executoribus hactenus tradita: addatur, quænam et

qualia illa sint, ac quibus viis recipi possint, ut piæ Testatorum voluntati satisfiat.

8. Tandem addatur Registrum sive plena descriptio bonorum Ecclesiæ, Vicariorum, Confraternitatum &c. unâ cum modernis limitibus, situ, numero, mensurâ, oneribus et aliis circumstantiis.
9. Item, ubi Pastor, Vicarii, Administratores prædicti conservent et custodiant libros, chartas, documenta, registra, inventaria obventionum et onerum, necnon computus suarum administrationum.

LXIII. *Domus Pastoralis.*

- | | |
|---|---|
| 1. An integra. | Utrum Vicariis, Altari-
bus, aut Capellis sint propriæ
ædes annexæ;
quo in statu sint. |
| 2. Destructa. | Quod si destructæ;
quando, per quos,
qua auctoritate id
factum. |
| 3. An tota. | Similiter an Ludi-
magister et Custos
Ecclesiæ proprias
ædes habean-
t; vel an de-
structæ: specifi-
centur una cum
eorundem ob-
ventionibus. |
| 4. Ex qua parte. | |
| 5. A quo tempore. | |
| 6. Per quos. | |
| 7. Qua occasione. | |
| 8. An gravata, si-
ve oneribus sub-
jecta. | |
| 9. Quibus. | |
| 10. An inhabitetur
a Parocho. | |
| 11. Vel a quibus. | |
| 12. Cujus, aut quo-
rum sumptibus re-
parari soleat, aut
debeat. | |

PARS POSTERIOR.

De Visitatione Personali.

LXIV. *Pastor.*

- | | |
|----------------------------|---|
| 1. Cujus nominis. | 4. Qualem admini-
strationem ante
Pastoratum ha-
buerit. |
| 2. Ætatis. | |
| 3. Gradus aut stu-
dii. | |

VOL. II.

R

10. Aut permuta-
tione.
 11. An habeat do-
cumenta primæ
tonsuræ.
 12. Ordinum.
 13. Legitimæ præ-
sentationis.
 14. Institutionis si-
ve investituræ.
 15. Possessionis.
 16. Placiti Principi-
tis territorialis.
 17. Quando ultima
facta est visitatio.
 18. A quo.
 19. An limites Pa-
rochiæ sint bene
distincti a locis
et Parochiis vi-
cinis.
 20. An unus Pastor
sufficiat pro ad-
ministratione Sa-
cramentorum.
 21. An singulis die-
bus Dominicis a-
quam benedicat.
 22. Eaque populum
aspergat.
 23. Ubi moris est,
ut populus inter
Pascha et Pente-
costen aspergatur
aqua ex Baptis-
terio desumpta,
quando illa aqua
seponitur ex Bap-
tisterio.
 24. An quandoque
visitet Scholæ.
 25. An vigore præ-
stiti juramenti
conetur inventa
conservare.
 26. Et pro posse de-
perdita Ecclesiæ
 - bona recuperare.
 27. An habeat ho-
nestam vivendi
competentiam.
 28. Aut quibus me-
diis juvari possit.
 29. An in Capitulo
sive Synodo De-
canali secundum
statuta juraverit.
 30. An secundum
morem antiquum
in Quadragesimâ
celebret Synodum
laicalem?
 31. An constituat
Testes sive Sca-
binos Synodales.
 32. Quos.
 33. An Acta Synodi
laicalis in Pasto-
rali Synodo seu
Capitulo scripto
referat.
 34. An (si Pastor sit
territorii Julia-
censis aut Mon-
tensis) Concor-
data Provisiona-
lia inter Serenis-
simos et Rev^{mum}
Elect. Colon. &c.
et Ducem Juliæ
&c. inita, diligen-
ter observet.
 35. An Monasteria
in districtu Pa-
storatus reperian-
tur.
 36. Cujus Ordinis et
sexus.
 37. An Religiosi ali-
qui privatos cœ-
tus habeant in
villulis non Paro-
chialibus.
 38. An ad Paro-
 - chiam quando-
que veniant, qui
dicuntur Termi-
narii.
 39. Cujus Ordinis
illi sint.
 40. Quoties per an-
num.
 41. An habeat per-
missionem ab Or-
dinario.
- LXV. Sacellanus.**
1. An Pastor unum
aut plures habeat
Sacellanos.
 2. Quomodo nomi-
nentur.
 3. An iidem a le-
gitimo Superiore
examinati, admis-
si, approbati.
 4. Utrum officio
suo diligenter
fungantur.
 5. An ipsis debita
sit assignata vi-
vendi competen-
tia.
 6. Qualis.
- LXVI. Deservitor Pastoratus.**
1. Quod si Pastor
defunctus sit, aut
non resideat, De-
servitor cujus
nominis.
 2. Ex quâ causâ
Pastor abest.
 3. A quo tempore.
 4. An cum licentia
aut dispensatione.
 5. Cujus.
 6. An causâ adhuc
duret.
 7. An ad eandem
deservituram sit
examinatus et
admissus.
 8. A quo.
 9. A quo tempore.
 10. An habeat vi-
vendi competen-
tiam.
 11. Qualem.
 12. Utrum Pastor
aut Deservitor sit
Religiosus Pro-
fessus.
 13. Cujus nominis.
 14. Cujus Ordinis.
 15. Qua auctoritate
seu licentia sit
egressus ex Mo-
nasterio.
 16. An in habitu
Monastico ince-
dat.
 17. An requisita ad
administrationem
documenta ha-
beat.
- LXVII. Vicarius, seu Allarista.**
1. Cujus nominis.
 2. A quo tempore
sit Beneficiatus.
 3. Ubi commore-
tur.
 4. An bonæ vitæ.

5. An habeat legitima documenta.
6. Ad quid obligetur.
7. Quomodo, uti juravit, obligationi satisfaciatur.
8. An ipse per se satisfaciatur.
9. An sit Sacerdos.
10. An ad statum Sacerdotalem aspiciatur.
11. Quod si per alium obligationi satisfaciatur: quantum Deservitori
12. Cujus nominis Deservitor.
13. Cujus vite.
14. Quantum Rector altaris in absentia inde annue percipiat.
15. Quod si Beneficium sit alteri unitum, addatur, cui Beneficio
16. Ex qua causa.
17. A quo tempore.
18. An oneribus satisfiat.
19. Per quem.

LXVIII. Magistri Hospitalium, Fundationes pauperum, Ædiles.

1. Quomodo nominantur.
2. An Catholici.
3. An viri probi.
4. Diligentes.
5. Perpetui.
6. An quedam procurent absque
- consensu Pastoris.
7. An necessaria subministrent.
8. An præstiterint juramentum fidelitatis.
9. An emiserint Professionem fidei.

LXIX. Ludimagister.

1. An aliquis in Parochia.
2. A quo tempore.
3. Qualis est.
4. Quomodo nominatur.
5. An Catholicus.
6. Ecclesiasticus, an Laicus.
7. An emiserit Professionem fidei.
8. An admissus de consensu et prævio Decani Christianitatis examine.
9. An locus ad
- Scholas specialiter deputatus.
10. Quos libros doceat.
11. Quomodo.
12. An Scholares tam in pietate et bonis moribus, quam in doctrina diligenter instruat.
13. An illos doceat cantum Ecclesiæ.
14. An doceat modum inserviendi Missæ.
15. An illos Domi-

nici et Festivis ad Ecclesiam committitur.

16. An seniores doceat modum con-

fitendi et communicandi.

17. Quibus mediis sustentetur.

LXX. Custos Ecclesiæ.

1. Cujus nominis.
2. An Catholicus.
3. An admissus de consensu Pastoris.
4. Et prævio examine Decani aut Pastoris.
5. An ante admissionem præstiterit debitam cautionem.
6. An fecerit juramentum fidelitatis.
7. An emiserit Professionem fidei.
8. An diligenter fungatur officio.
9. An sciat cantum Gregorianum.
10. An Ecclesiam, ejusque ornamenta in decenti nitore conservet.
11. An ipsi ornamenta tradita una cum Inventario eorumdem.
12. An vendat vinum.
13. An cerevisiam.
14. Vinum adustum.
15. An hospites recipiat.
- Utrum in electione aut constitutione Magistrorum Hospitalium &c. ædilium, Ludimagistri aut Ecclesiæ Custodis occurrant aliquæ contentiones.
- Unde istæ oriantur.
- An etiamnum durent.
- Quomodo componi possent.

LXXI. Circa Officium Divinum.

1. Quali utatur Breviario.
2. Quali Missali.
3. An quandoque in Ecclesia decantentur aliquæ horæ Canonice.
4. Aut alia.
5. Quæ.
6. Quando.
7. Quomodo.
8. Per quos.
9. An exacte observentur.
10. Quoties in septima Missæ Sacrificium offerat.
11. Ad quot Missas obligetur.
12. An quandoque duas Missas de die celebret.
13. Qua auctoritate.
14. An singulis diebus Dominicis & Festivis Missæ Officium in propria Ecclesia peragat.
15. An statis horis.

- | | |
|---|--|
| 16. An cum cantu. | 21. Palmas. |
| 17. Quis Celebranti ministret et respondeat. | 22. Ignem. |
| 18. An Dominicis et Festivis Missam defunctorum celebret. | 23. Cereum Paschalem. |
| 19. An statuto tempore solemniter benedicat Cereos. | 24. Fontem Baptismalem. |
| 20. Cineres. | 25. Sal et aquam. |
| | 26. An omnia peragat secundum præscriptum novi Missalis et Agendæ Coloniensis. |

LXXII. Circa Processiones aut Supplicationes omnes.

- | | |
|---|---|
| 1. Quot consueverunt per annum fieri. | 8. An Imagines. |
| 2. Quomodo. | 9. Quales. |
| 3. An instituaturs processio in festo S. Marci. | 10. Quo ornatu. |
| 4. An diebus Rogationum. | 11. A quibus gestentur. |
| 5. An in eis præferatur Crux. | 12. An in illis Processionibus nulli committantur abusus. |
| 6. An Vexillum. | 13. Aut quomodo tolli possint. |
| 7. An circumferantur Reliquiæ. | |

LXXIII. Confraternitates, aut Societates.

- | | |
|--|-----------------------------|
| 1. Sub quo titulo institutæ. | dulgentias habent. |
| 2. An Regulæ sive Statuta observentur. | 4. Quales. |
| 3. An aliquas Indulgentias habeant. | 5. A quo concessæ. |
| | 6. Ad quod tempus concessæ. |

LXXIV. Circa Conciones.

- | | |
|--|--|
| 1. Quibus diebus et horis concionetur. | 4. Quid in concione potissimum populum doceat. |
| 2. Si alius hoc munus quandoque obeat, an ad hoc approbatus. | 5. Quas conciones concioni subjunget. |
| 3. Qua auctoritate. | 6. An subditos quandoque moneat, ut infantes |

ad Baptismum tempestive deferant.

- | | |
|--|---|
| 7. Et ægrotos Sacramentis Ecclesiæ muniri faciant. | concioni frequenter miscant. |
| 8. An populo annuntiet dies juniorum. | 11. An Dominicis et Festis Catechismum doceat. |
| 9. An Festa Ecclesiæ. | 12. An ipsemet doceat. |
| 10. An Catechismum seu doctrinam Christianam | 13. An per Substitutum. |
| | 14. An moneat Patres et Matres familias, ut proles, domesticos et subditos frequenter ad Ecclesiam mittant. |

LXXV. Sacramenta.

- | | |
|--|---|
| 1. An citra necessitatem alienis Parochianis illa quandoque administret. | mentorum quandoque eorum virtutem explicet. |
| 2. Qua auctoritate. | 6. An pro administratione pecuniam exigat aut suscipiat. |
| 3. An id faciat in propria Parochia. | 7. Addatur hic specificus status Jurium Stolæ, ut vocant. |
| 4. An in aliena. | |
| 5. An in administratione Sacra- | |

LXXVI. Baptismus.

- | | |
|--|---|
| 1. An citra necessitatem eum quandoque in privatis ædibus conferat. | trinus quarumdam prolium suæ Parochiæ. |
| 2. Qua auctoritate. | 5. An in Parochia Obstetrix Catholica. |
| 3. An in Paternos admittat, qui Professionem fidei edere detrectant. | 6. Bene instructa. |
| 4. An Pastor sit Pa- | 7. An fidelitatis juramentum præstitit. |

LXXVII. Confirmatio.

- | | |
|--|---|
| 1. A quo tempore hoc Sacramentum in Parochiâ | aut locis vicinis non fuit administratum. |
|--|---|

2. An multi Parochiani confirmati.
3. An Parochianis hoc Sacramentum quandoque

LXXVIII. *Confessio.*

1. An exceptâ necessitate eam extra Ecclesiam expiciat.
2. An audiat con-

LXXIX. *Indulgentiæ.*

An eas publicet absque licentiâ Ordinarii.

LXXX. *SS. Eucharistia.*

1. An quando ad iufirmos deferatur, eam vicini comitentur.
2. An Missæ Sacrificium quando-
3. An eos moneat ad illud cum debita reverentia suscipiendum.
4. An generaliter tantum absolvat.

LXXXI. *Matrimonium.*

1. An quosdam Matrimonio jungat absque tribus præviis denunciationibus sive proclamationibus.
2. Qua auctoritate.
3. An sine licentia Matrimonio copulet alienos Parochianos.
4. An vagos et peregrinos.
5. An Catholicum
6. An in privatis ædibus.
7. An promeridiano tempore.
8. An Pastor, Sacellanus aut Deservitor aliquando sua auctoritate causas seu lites matrimoniales definiat.

LXXXII. *Circa Subditos.*

1. An omnes Parochiani sint Catholici.
2. An præceptis Ecclesiæ satisfaciant.
3. An debito tempore confiteantur.
4. Communicent.
5. An Dominicis et Festis audiant Missam.

6. Concionem.
7. A servilibus operibus abstineant, exceptâ messe, qua a Pastore conceditur.
8. Quis sit communicantium numerus.
9. An aliqui ex subditis sint Lutherani.
10. Calvinistæ.
11. Anabaptistæ.
12. Novorum Prophetarum.
13. Judæi.
14. De similibus suspecti.
15. Quam multi.
16. An A catholica bona ibidem acquisiverint.
17. Cujus Religionis Officiales et Scabini in judiciis.
18. An Prædicans aliquis in Parochia.
19. An quandoque accedat.
20. Cujus Confessionis.
21. An in Parochia sint usurarii.
22. Blasphemi.
23. Lusores.
24. Adulteri.
25. Conjugati domicilio aut thoro scandalose separati.
26. Incestuosi.
27. Concubinarii.
28. Venefici.
29. Augures.
30. Eosque consulentes.
31. Homicidæ.
32. Contemptores Sanctorum.
33. Lectioni librorum A catholico-rum addicti.
34. Eos vendentes.
35. Eos domi servantes.
36. Carnes vendentes diebus prohibitis.
37. Eas tunc temporis comedentes.
38. Aliis manifestis criminibus obnoxii.
39. In iis obstinate perseverantes.
40. Persistentes ad annum vel ultra sua culpa in excommunicatione.
41. Qui Matrimonium contraxerunt intra gradus prohibitos consanguinitatis.
42. Affinitatis.
43. Vel alio modo.
44. Mulieres, quæ a partu antiquam Ecclesiæ consuetudinem contemnant, et ad Ecclesiam Deo gratias acturæ pro beneficio puerperii non procedant.
45. An in Parochiâ sint Monachi aut Moniales apostatæ.

- | | | | |
|--|--|---|---|
| <p>46. An falsis conjugibus adhæreant.</p> <p>47. An diebus Dominicis et Festivis pateant œnopolia et tabernæ ante Officium Divinum peractum.</p> <p>48. An tempore lec-</p> | <p>tionis Catecheticæ.</p> <p>49. An Parochus magnam habeat rationem exterorum, qui domicilium in Parochia eligunt.</p> <p>Tandem quæcunque scandala populum Christia-</p> | <p>num a vero Dei cultu avertentia, aut impediencia, aliaque gravamina, Divinum honorem, Ecclesiæque pacem, ac quietem conturbantia, una cum viis ac remediis</p> | <p>iis obsestendi, in charta separata ejusdem cum hac forma, aut foliis his insertis, explicari et proponi poterunt; ut aliquando fiat unus ovile, sicut est unus Pastor.</p> |
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CC. *Germaniæ*, Tom. ix. p. 682—691.

Netherlands.

SECT. I.—*Diocese of Bois-le-Duc.*

CANONS FOR THE INSTITUTION OF *Rural Deantries*, AND THE REGULATION OF THE OFFICE OF *Dean Rural* IN THE DIOCESE OF BOIS-LE-DUC, A.D. MDCXII.

III. *Archipresbyteros** tanquàm nostros in suo quemque *Decanatu* vicarios constituimus, eosque ab omnibus sibi subditis volumus honorari, et in ecclesiis parochialibus primum semper locum obtinere, velutî pastorum et totius cleri sui districtûs pastores. Quorum officium imprimis erit singulas districtûs sui ecclesias in propriâ personâ obire et visitare super excessibus, erroribus, vitîis, et criminibus inquirere, eaque corrigere, ac curiæ nostræ promotori indicare.

IV. *Archipresbyteri*, seu *Decani* parochias sibi commissas cum xenodochiis, capellis et confraternitatibus, assumpto secum notario, vel saltêm aliquo presbytero, quotannis secundum instructionem illis dandam, autoritate nostrâ visitent, ac de vitâ, fide, et moribus parochorum, sacellanorum, custodum, ludimagistrorum, ædituorum, ac gubernatorum mensæ Sancti Spiritûs, reliquorumque incolarum sese diligenter informant, ac advertant, an piis fundationibus, eleemosynis et oneribus beneficiorum

* The first two chapters are occupied with the distribution of the different parishes of the diocese of Bois-le-Duc into *Deantries*—their names, and those of their *archipresbyteral superintendents*; after which the duties of the office are explained and enforced.

et officiorum ecclesiasticorum laudabiliter satisfiat, itemque utrùm ecclesiæ reparatione egeant, et cœmeteria benè occlusa sint: nec sacramentalium et ornamentorum ecclesiæ, atque scholarum visitationem prætermittant. Deniquè observent an constitutiones conciliorum tam generalis Tridentini, et provincialis Mechliniensis, quàm nostri diocesani debitæ executioni demandentur; mandantes iisdem archipresbyteris, ut juxta ordinationem concil. Trid. acta suæ visitationis nitidè descripta infra mensem nobis exhibere teneantur.

v. Capitula pastorum singuli archipresbyteri quotannis celebrent, præcisè illo die quem illis præfigemus, ut ità se expedire judicaverimus, vel personalitè interesse, vel iis significanda perscribere possimus: in iis verò capitulis post missam per eos de Sancto Spiritu decantatam, statuta synodalia præsertim parochos concernentia legi curabunt, eodemque ad illorum observantiam, ac diligentem munerum suorum adimpletionem et defectuum suorum parochianorum declarationem pià et serià orationculà adhortabuntur, et si quæ nos illis significata, aut dicta voluerimus, ea nostro nomine exponant: deindè locum et tempus singulis pastoribus concedent, ad suas difficultates in medium adferendum; et si quid inter eos ad mutuam benevolentiam adducere conabuntur. Si quis autèm eorum mandatis minùs obtemperaverit, is nobis, aut officiali nostro denunciatur gravitèr puniendus.

vi. Hæc capitula sic celebrentur, ut ea non ad comessandum, sed ad tractandum de rebus ecclesiæ indicta esse omnibus innotescat, prandiaque in tabernis seu diversoriis fieri vetamus, tamque frugalia sint et moderata, ut nemo sumptibus, vel potu gravetur; extranei quoque præter eos, qui fortassè à nobis mittentur ab his conviviis prorsùs excludantur; quo majore cum fructu inter se pastores de rebus ecclesiæ colloqui et conferre possint: declaramusque ad sumptus dictorum conviviorum ferendos pastores absentes, etiam si legitime excusaverint perindè ac præsentès æqualitèr obligari, et contribuere debere.

vii. In primà Mechliniensi synodo statuitur, ne Christianitatum decant alibi quàm in templo, aut loco saltèm decenti et honesto, neque aliis quàm personis ecclesiasticis, et in mundis et distinctis capsulis sacrum chrisma, et reliqua sacramentalia distribuunt, aut deferenda committant, nec etiam pro traditione novi chrismatis aliquid accipiant, nisi fortè sumptus ejus causâ factos arbitrio nostro pro pagorum numero et locorum à nostrâ sede cathedrali distantia taxandos; in viâ etiam in tabernis non potitent, nec aliud quod sanctitatem in hâc chrismatis et oleorum sacrorum portatione non decet, committant: novis autem acceptis oleis ac chrismate vetera super piscinam comburant, aut in fomentum lampadis convertant, ac consumant.

viii. Cùm dignum sit et justum, ut qui subditorum obsequiis addiuntur illorum sus-

tententur stipendiis: volumus ut archipresbyteri exequias parochorum et reliquorum ecclesiasticorum ac nobilium sui districtus celebrent, et jura funeralia juxta taxationem per nos faciendam recipiant; sunt enim archipresbyteri parochorum et sacerdotum sui districtus pastores, quare solliciti de eorum salute ubi aliquem è sui districtus pastoribus, aut sacerdotibus periculosè laborare intelligent, statim ad eum excurrant, moneantque ut suæ saluti consulat, eique si opus est sacramenta administrent; quòd si eum ex ea ægritudine decedere contigerit, etiamsi regularis alicujus instituti sit, statim curabunt fieri inventarium omnium bonorum relictorum, ut piis legatis, aliisque creditoribus de solutione debitorum cautum sit, atque omnia munimenta fabricæ ecclesiæ, vel mensæ pauperum apud eum reperta, fabricæ eidem vel mensæ pauperum respectivè curent restitui. Quæ verò ad pastorum, aut fundata ibi beneficia spectabunt, ac speciatim defuncti enchiridium, seu manuale, in quo reddituum à se receptorum rationes descripsit secum deferent: neque ulla hujusmodi monumenta relinquent in manibus aliorum, etiam sub prætextu, quod iis fortè indigeant ad executionem testamenti. Si tamen aliquo reverà opus sit, dabunt exemplum seu copiam istiusmodi documenti quo se indigere asserent. Curam etiam gerent archipresbyteri, ut infra annum in curiâ nostrâ ecclesiasticâ domus mortuariæ computus et rationes exhibeantur et pergantur.

Statuta Synodi Diœcesanæ Buscoducensis, A.D. MDCXII.

SECT. II.—Diocese of Bruges.

STATUTES FOR REGULATING THE DUTIES OF **Deans of Christianity** IN THE DIOCESE OF BRUGES, BY BISHOP DRIUTIUS. A.D. MDLXXI.

1. PRIMUM Decanis Christianitatis injungimus quatenus singulis annis omnes parochiales ecclesias, capellanas, hospitalia, et alia loca sacra infra limites suorum decanatum consistentia in spiritualibus, et temporalibus visitent, curentque ut venerabile eucharistiæ sacramentum, et sacramentalia cum debitis honore, et reverentiâ reserventur, et custodiantur: ac libros, calices, mappas, et alia ornamenta ad servitium divinum requisita, quatenus reparatione indiguerint, reparari et mundari faciant: computus quoque tam fabricarum quam mensarum pauperum, ac hospitalium inspiciant, ac examinent, ac de eorundem bonorum administratione inquirent, et si negligenter, aut non fidelitè administrari repperint, nobis quantociùs denuncient,

visitationes autem suas ut oportet scripto redactas infra duos menses ab ultimâ visitatione signatas, et clausas, cum actis et actitatis per eos, fidelitèr transmittant.

II. Insuper domos presbyterales ac ædificia ad antedictos beneficiatos ratione beneficiorum spectantia debitè reparari faciant, ipsosque beneficiorum possessores per arrestationem et apprehensionem fructuum ad eandem reparationem compellant, alioquin reparationem hujusmodi, decanorum expensis fieri mandabimus.

III. Investigent etiam quæ onera beneficiatis ratione suorum beneficiorum incumbant, illaque fieri, et persolvi, et omissa recuperari, per eorundem fructuum subtractionem et arrestationem faciant, quam non relaxabunt, nisi de nostro expresso mandato.

IV. Præterea sedulò inquirent in dictis visitationibus, de vitâ, doctrinâ, et moribus curatorum, et aliorum presbyterorum, ac præceptorum seu magistrorum, et cujus sint qualitatis, fidei, et nominis ac famæ, similiter diligentiam adhibeant, ac se informent de qualitate et fide eorum, qui fabricis ecclesiarum et mensis pauperum præfecti sunt, omniaque nobis fidelitèr referant.

V. Et quia sæpiùs vagi et ignoti, alteriusque diœcesis sacerdotes ad nostram diœcesin se conferunt, timentes à suis superioribus pro exigentiâ suorum excessuum puniri, seu ut liberius apud incognitos vivant: statuimus, ne ignoti vel vagi sacerdotes, ad missarum celebrationem admittantur, nisi priùs decanis Christianitatis, litteras licentiæ celebrandi à nobis obtentas præsentaverint, et in illorum manibus cautionem usque ad summam quadraginta libr. par. pro securitate debitorum per eos forsan contrahendorum præstiterint, quas litteras curatis locorum priusquam divinis se immiscere præsumant, præsentare teneantur, et si præsentî nostræ ordinationi contraventum fuerit, tam curati qui illos ad celebrationem admittent, quam dicti sacerdotes delinquentes, per decanos promotori denuncientur, poenâ condignâ puniendi.

VI. Cùmque in hac diœcesi nonnulli religiosi obtentâ à suis prælatis licentiâ vivendi extra suum monasterium (quam obedientiam vocant) in suo regulari habitu, ac alii, vigore litterarum apostolicarum dispensati, ut extra sua monasteria residere possint, in habitu presbyteri secularis, deferendo scapulare sub suâ togâ, aut veste talari, in scandalum religionis, vagentur: præcipimus et sub poenâ suspensionis à divinis mandamus, ne aliquis religiosus sub prætextu hujusmodi dispensationis, aut graciæ ad ecclesiarum parochialium deservituram, missarum celebrationem, confessionum auditionem, aut sacramentorum administrationem admittatur, nisi priùs litteris suæ licentiæ, seu dispensationis per nos visitatis, et examinatis, specialem à nobis ad supradicta licentiam in scriptis obtinuerit.

VII. Considerantes etiam indecorum esse statui ecclesiastico, laicos, quibus jure vetitum est, cancellos sive chorum ecclesiarum ingredi, custodum officia in diversis ecclesiis exercere: præcipimus et injungimus singulis Decan^{is} ne deinceps quispiam ad custodiæ deservituram admittatur, non tonsuratus, aut bigamus, aut qui ballivi, aut clientis officium exercet, aut in judicio criminali interfuit, suamque in eo sententiam protulit, vel officium cauponarii vel tabernarii aliudve vile, et clero indignum exercet, aut qui barbam defert longiorem, seu vestem clericis indecentem, atque ante admissionem dictis Decan^{is} de vitæ suæ honestate, et fidei sinceritate testimonium scripto exhibeat: quod Decan^{is} prædictis ut strictè observent, et exequantur, mandamus. Si autem dicti custodes quâcunque de causâ ad deservituram inhabiles per Decanum moniti non pareant, curiæ nostræ denuncientur, ad exemplum aliorum puniendi.

VIII. Nec admittantur proprietarii ecclesiarum parochialium ad primam deservituram earundem ecclesiarum, nisi priùs constet Decan^{is} Christianitatis, litteras suarum provisionum nobis fuisse præsentatas, quodque ipsi præviis examine, et testimonio probitatis vitæ, professione fidei catholicæ, et juramento personalis residentie juxta decreta concilii Tridentiti, ad deservituram ecclesiæ parochialis admissi fuerint. Quùm autem aliqua ecclesia destituta fuerit curato, aut deservitore, eidem immediate per Decanum nostrâ autoritate provideatur, idque primâ opportunitate Decanus nobis significabit, nec ultra mensem nobis intimare differat, quo per ejusdem continuationem, aut alterius mag^{is} idonei constitutionem, ecclesiæ vacanti plenius provideamus.

IX. Volumus insupèr quòd Decan^{us} omnium et singulorum curatorum, capellanorum, custodum, et aliorum beneficiatorum suorum Decanatum non residentium, et qui ante festum Beatæ Mariæ Magdalene litteras privilegii aut dispensationis super non residentia, nobis aut Decan^{is} non exhibuerint, aut quorum beneficia per obitum, resignationem, aut recessum, ante dictum festum vacaverint, fructus, redditus, et proventus prout ipsi ex officio tenentur, immediate, autoritate nostrâ arrestare, arrendare, ac postmodùm levare, non expectatâ à nobis ulteriori ordinatione, dictisque beneficiis per personas idoneas deserviri facere debeant, jure patronorum ac alterius cujuslibet sempèr salvo: ità tamen quòd nemo ad deserviendum ecclesiis parochialibus constituatur, nisi priùs, aut saltèm infra mensem à die institutionis per Decanos (ne interim ecclesia absque deservitore remaneat) factæ, à nobis examinatus, et admissus fuerit, litterasque nostras desupèr obtinere, et Decan^{is} exhibere procuret, sub poenâ arbitrariâ, tam per Decanum alitèr insistentem, quàm per institutum præmissa negligentem, incurrendâ.

X. Quoniàm etiam usu comperimus per beneficiatorum absentiam fructus benefi-

ciorum deperdi, ac onera beneficii incumbencia negligi, ordinamus ut nulli concedantur, nec suffragentur litteræ de non residendo, nisi idem non residens constituerit aliquem procuratorem ecclesiasticum nobis subjectum, cum electione domicilii ad domum sui procuratoris, qui procurator in litteris non residentie nominabitur, ac nos nostrosque Decanos de fructibus et oneribus beneficiorum suorum dominorum sufficienter instruet, oneraque beneficii incumbencia adimpleri demonstrabit, ac de singulis concernentibus beneficia absentium, respondere tenebitur.

XI. Quia autem arrestationes Decanorum ut plurimum parvi penduntur, ordinamus quatenus post factam fructuum arrestationem, citentur per Decanos coram officiali nostro beneficiati, seu eorum procuratores, ad videndum dictos fructus arrestatos ad impletionem onerum, et alias, juxta juris aut statutorum nostrorum dispositionem, deputari, et adjudicari: inhibitione nihilominus per Decanos tempore arresti facta de non amovendis fructibus, aut alteri non solvendo, donec aliter fuerit per officialem cum causae cognitione decretum, durante: et si Decani in predictis negligentes fuerint, de fructibus ipsi respondebunt.

XII. Ordinamus etiam eisdem Decanis, ut diligentem invigilent et attendant, utrum ecclesias, altaria, cœmeteria, et alia loca pia, sita infra districtum suorum Decanatum sint consecrata: inhi beantque in eisdem ecclesiis non consecratis, aut prophanatis, et in quibus majus, ac patroni, et Beatæ Mariæ altaria consecrata non fuerint, sine nostrâ speciali gratiâ divina celebrari: si quis autem in ecclesiis, aut altaribus non consecratis, aut privatorum ædibus celebrare, aut cœmeteria prophana pro benedictis habere, aut in ea mortuos inferre ausus fuerit, ipsum graviter puniemus.

XIII. Et quia magistri fabricarum ecclesiarum parochialium, ac alii laici, altaria erigere, et construere, et alia jam constructa, etiam consecrata, necnon ecclesiarum earundem structuras, et ædificia demoliri interdum sua autoritate presumunt: prohibemus ne quispiam deinceps licentiâ à nobis non obtentâ, hujusmodi ædificia ecclesiarum, seu altaria in illis erecta, diruere, evertere, et prophanare presumat: quod si evenierit delinquentes nobis denuncientur, poenâ condignâ puniendi.

XIV. Non admittant posthac Decani, aut curati aliquos quæstores, sub quocunque prætextu, aut quavis ex causâ sub poenâ xii. libr. par. per Decanum, aut curatum dictos quæstores admittentes pro singulis vicibus incurrendâ: si quos verò sciant quæstores eleemosynas in templa, aut alibi sub suis parochiis sine nostrâ licentiâ colligere, eos curiæ nostræ sub præscriptâ poenâ denuncient.

XV. Ne autem pia Christi fidelium erga sanctorum reliquias devotio, aut ex præcedenti voto obligatio, per præmissa pereat vel negligatur, ipsique fideles indulgentiis, aut aliis spiritualibus graciis reliquias venerantibus et subsidium charitativum paupe-

ribus, infirmis, aut piis locis porrigentibus concessis, priventur: volumus quòd *Decani* et pastores sine ullo quæstu, dùm et quandò requisiti fuerint indulgentias, vel spirituales gratias hujusmodi, à nobis litteratoriè admissas, parochianis suis publicent, eosque admoneant ad promerendum easdem, atque vota præstita vel præstanda Deo sanctisque reddenda, quòdque eleemosynas et charitativa subsidia fidelium recipiant, eaque fidelitèr sine ullo stipendio pastores *Decanis Christianitatis in conbocationibus decanalibus*, et *Decani* infra xv. dies à receptione cantori, vel *archipresbytero* ecclesiæ nostræ cathedralis numerent, qui dictas eleemosynas pauperibus vel piis locis quibus piâ fidelium devotione destinantur, adnumerari curabit.

xvi. Item præcipimus *Decanis* nostris, quatenùs bona mobilia presbyterorum quorumcunque nobis subjectorum, in nostrâ diocesi decedentium, statim post obitum eorum arrestent, et in arresto teneant, quousquè eis constiterit, an defuncti testamentum condiderint, aut ære alieno gravati decesserint, ac hæredes aut executores testamentorum, onera domûs mortuariæ implere voluerint, et ad ea judicialiter vel litteratoriè se obligaverint: si autem intestati, aut testati quidem, sed ære alieno gravati decesserint, nullusque (ut præmittitur) hæreditatem adire voluerit, bona prædicta (ut præmittitur) arrestata, et in legitimum inventarium redacta, per *Decanos* plus offerendum publicè ad opus creditorum, et jus habentium vendentur, qui de suâ administratione officiali nostro, hæredibus, creditoribus, et legatariis ad id per edictum peremptoriè evocatis, computum loco et tempore debitis reddere tenebuntur, alioquin *Decani*, damnum quod creditores, aut nos ex præscriptorum omissione incurremus, resarcient: si verò testamentum condiderint, non relaxent *Decani* arrestum donèc eis legitime constiterit testamentum per nos, aut officialem nostrum fuisse, et esse inspectum, visitatum, ac approbatum, et inquirant diligentèr de litteris, et documentis concernentibus ecclesiam, et beneficia defuncti, illaque futuro successori fidelitèr reservent, ac nos, aut sigilliferum nostrum de morte cujuscunque sacerdotis nobis subditi, indilate à notitiâ mortis, certiores reddant.

xvii. *Decani* sacerdotes sub suo *Decanatu* in notorio concubinato aut alias scandalosè viventes, similiter et laicos adulteros, fornicatores, aut alia publica crimina ecclesiastici, aut mixti fori committentes, (ne criminum impunitate aut conniventia peccantium multitudo crescat, et iram Dei erga nos provocemus) si admoniti, statim se non emendent, sed crimina sua et scandalosam vitam continent, ad curiam nostram deferant.

xviii. *Archipresbyter* et *Decani* deinceps unam conbocationem pastorum sui *Decanatus* seu districtûs, tempore maximè comodo per nos statuendo, singulis annis habebunt, ad quam conbocationem curatos suos quindecim diebus ante, sub poenâ quatuor libr. par. evocabunt.

XIX. Postremò volumus quòd omnes in dignitate, aut administratione ecclesiasticà constituti, ac pastores vel vicem eorum gerentes, habeant, et diligenter relegant decreta, catechismum concilii Trid. atque statuta provinciæ Mechliniensis, nostraque diocesana, alioquì eorum negligentia incorrecta minimè remanebit.

Decreta et Statuta primæ Synodi Diocesanæ Brugens. p. 19.

SECT. III.—Diocese of Ghent.

ORDINANCES FOR Archpresbyters Rural OF THE DIOCESE OF GHENT, BY BISHOP TRIEST, A.D. MDCL.

I. Archpresbyteri ecclesias decanatus sui quotannis circa Pascha et Pentecosten seriò visitabunt juxta instructionem suam, tempore, quod visitationi destinabunt, pastoribus tempestivè præsignificato. Et ne occasione visitationum commessiones ullæ fiant, seriò cavebunt. Acta quoque suarum visitationum nitidè descripta et à se subsignata, quotannis ante Kalendas Junii ad nos transmittent.

II. Archpresbyteri, quandocumque per nos convocati fuerint; in sacello nostro domestico se sistent, gratiam Spiritûs Sancti nobiscum invocaturi, ac deindè audituri ea quæ post mutuam collationem maturamque deliberationem, pro utilitate animarum et fideli ecclesiarum regimine statuenda et ordinanda duxerimus.

III. Præterea singuli archpresbyteri celebrabunt annuatim capitulum pastorum sui districtus ordine et tempore hîc designato. Archpresbyter Gandavensis celebrabit capitulum suum primâ feriâ secundâ post festum *Assumptionis B. Mariæ*, feriâ quartâ immediatè subsequente celebrabitur capitulum *Teneramundanum*. Huic feriâ secundâ proximâ succedet capitulum *Wasianum*. Deinde feriâ quartâ subsequente *Hulstense*, post illud primâ feriâ secundâ celebrabitur capitulum *Everghemiense*, ac deinde feriâ quartâ *Aldenardense*, et subsequenti septimanâ feriâ secundâ capitulum *Donsanum*, ac feriâ quartâ *Tyletanum*. Porro aliquo festo in feriam secundam vel quartam incidente, celebrabitur capitulum postridie.

IV. Hæc ipsa capitula celebrentur, ut ea non ad commessandum, sed ad tractandum de rebus seriis indicta esse omnes intelligant; proindè in illis, initium rerum agendarum sumatur ab invocatione Spiritus Sancti quo dirigente de rebus ecclesiæ conferatur, prandium verò non fiat nisi frugale et moderatum, ut nemo sumptibus

vel potu gravetur; nec unquam in tabernâ vel diversorio instituatur, extranei quoque per quos tractatio de rebus ecclesiæ impediri possit ab eo excludantur.

v. Atque ut prandium sit frugale et moderatum symbolum non excedat tres florenos, ad quod omnes pastores tenebuntur etiam quantumvis legitimâ ex causâ absentes, à quibus æqualitèr symbolum solvi volumus prout à præsentibus. Ac insupèr ordinamus, ut mulcta eorum qui sine causâ in ipsâ congregatione à pluralitate votorum approbanda abfuerint, ultrâ symbolum, sit unius libræ grossorum solvendæ, ad opus expensarum in tali congregatione factarum. Et si qui fortè ulteriùs contumacitèr adesse capitulo renuntiaverint, curiæ nostræ denuntiabuntur, aliâ insupèr poenâ arbitrariâ puniendi.

vi. Mandamus et ordinamus, ut pastores, sacellani, et beneficiati quicumque, archipresbyteris respectivè suis, Christianitatis decanis, juxta juramentum in adeptione beneficii præstari solitum, tradant exactam specificationem bonorum, proventuum ac jurium suorum respectivè beneficiorum, quod si diutiùs contra juramentum præstitum id facere distulerint vel recusaverint; defectuosi denuntiabuntur quamprimum archidiacono nostro, sub mulctâ trium librarum grossorum ad id adigendi.

vii. Atque ut in ecclesiis nobis subditis, quoad res animarum curam concernentes omnia ordinatè fiant, volumus ut debitus honor archipresbyteris nostris qui pastores pastorum sunt; exhibeatur ab omnibus, præsertim ab iis, qui ad curam animarum assumuntur; et eorum auctoritatem, dignitatem et superioritatem agnoscant: sciantque nullas litteras curæ animarum, deservituræ, vel vice pastoratûs imposterum cuiquam suffragari, nisi præviè archipresbytero istius districtûs exhibeantur, et ab eodem subsignentur.

viii. Archipresbyteri novas campanas benedicent, à sacellanis non residentibus exigent quotannis exhibitionem licentiæ non residendi, et attestationem impleti oneris missarum, et persolutorum censuum, quibus fortè bona beneficiorum gravantur, et hanc ipsam attestationem etiam requirent à beneficiatis residentibus.

ix. Cui deservitura dumtaxat cujuscumque pastoratus est commissa, is quotannis uno mense ante festum nativitatis *Sancti Joannis Baptistæ* litteras suæ deservituræ archipresbytero suo tradet, ab eo deinde cum cæteris similibus deservitorialibus ad nos transmittendas, ut novas pro altero anno quatenùs opus fuerit expediri mandemus, et à decimis, aliisque bonis pastoratûs elocandis abstinebit, ab archipresbytero enim ob justas causas idipsum præstari volumus.

x. Quandocùmque aliqui manserint defectuosi qui communioni Paschali non satisfecerint, decani Christianitatis eos curiæ nostræ, præmissâ admonitione debitâ, denuntiabunt.

XL. Quoad cætera omnia officium archipresbyterorum concernentia, sequentur singuli commissionem et instructionem suam. Et quæcumque in eis, et his statutis seu decretis nostris non continentur, ea sibi non permitti sciant, et si fortè aliquandò permissa fuerint.

JURAMENTS HAVING REFERENCE TO Archpresbyters Rural OF THE
DIOCESE OF GHENT.

JURAMENTUM PRÆSTANDUM IN MANIBUS Archipresbyteri IN ADEPTIONE PASTORATÛS.

Ego *N.* juro et promitto obedientiam, reverentiam et honorem summo pontifici Romano, reverendissimo domino episcopo Gandavensi eorundemque successoribus. Item juro et promitto ecclesiæ meæ parochiali de *N.* fideliter deservire, secundum oneris illi annexi exigentiam, et in eo personalitèr residere. Bona pastoratûs vel ecclesiæ meæ non alienabo; et indebitè alienata quantum in me erit, fidelitèr recuperare studebo. Specificationem omnium bonorum et fructuum pastoratûs mei cum debitâ designatione hypothecarum, limitum et terminorum intra annum proximum archipresbytero meo tradam, prout etiam specificationem censuum, reddituum, et aliorum quibus bona mei pastoratûs subjecta sunt, et quòd illa onera fidelitèr et tempore debito persolvi procurabo. Fructus anni in quo me mori aut meam ecclesiam dimittere continget, relinquo pro rata temporis successori meo vel alteri cuilibet jus habenti, juxta laudabilem hujus diocesis consuetudinem et statuta episcopalia hactenus observata. Ita me Deus adjuvet et hæc Sancta Dei Evangelia.

JURAMENTUM PRÆSTANDUM PER CAPELLANOS, VEL PER ALIOS QUOSCUMQUE
BENEFICIATOS, CURAM ANIMARUM NON HABENTES.

Ego *N.* juro et promitto obedientiam, reverentiam et honorem summo pontifici Romano ac reverendissimo domino episcopo Gandavensi, eorundemque successoribus. Item juro et promitto, quòd bona capellanæ meæ (vel personatûs aut beneficii) non alienabo et indebitè alienata quantum in me erit, fidelitèr recuperare studebo. Specificationem omnium bonorum et fructuum capellanæ meæ (vel personatûs aut beneficii) cum debitâ designatione hypothecarum, limitum et terminorum intra sex menses proximos archipresbytero meo tradam, prout etiam specificationem censuum, et reddituum, et aliorum onerum quibus bona capellanæ meæ (vel personatûs aut beneficii) subjecta sunt, et quòd illa onera, fidelitèr, et tempore debito persolvi procurabo. Ita me Deus adjuvet et hæc Sancta Dei Evangelia.

JURAMENTUM CUSTODUM IN ADEPTIONE MATRICULARIÆ.

Ego *N.* juro et promitto quòd ero sempèr obediens domino meo pastori in muneribus pastoralibus ministerium meum requirentibus, et fidelitèr adimplebo ea quæ officii mei sunt, quòdque in officio divino et in administratione sacramentorum assistam in habitu decenti. Juro etiam et promitto quòd bona, proventus et jura matriculariæ meæ non alienabo, et indebitè alienata quantum in me erit, fidelitèr recuperare studebo, quòdque specificationem bonorum, fructuum et jurium meæ matriculariæ infrà sex menses proximos archipresbytero meo tradam cum specificatione onerum quibus illa fortè gravatur. Sic me Deus adjuvet et hæc Sancta Dei Evangelia.

JURAMENTUM LUDIMAGISTRO-
RUM PRÆSTANDUM IN MANIBUS SCHOLASTICI IN LOCIS
VEL DISTRICTIBUS UBI IS FUERIT, VEL ALIÀS IN MANIBUS Archipresbyteri.

Ego *N.* juro et promitto quod fidelitèr docebo pueros seu juventutem, legere ea quæ sunt doctrinæ sanctæ matris ecclesiæ Catholicæ Apostolicæ Romanæ, quòdque nullos libros aut scripta pueris seu juventuti prælegam vel prælegi permittam, aut doceri, quæ aliquid turpe aut obscenum vel hæreticum suspectamve contineant, sed ea tantum quæ ad bonos mores aut pietatem conducent. Sic me Deus adjuvet hæc Sancta Dei Evangelia.

JURAMENTUM BIBLIOPOLARUM PRÆSTANDUM IN MANIBUS Archipresbyteri.

Ego *N.* juro et promitto quòd nullos libros, cantilenas, rythmos, ephemerides aut similia imprimam aut venalia exponam, vel secretò distribuam, aut quantum in me erit imprimi, venalia exponi, vel secretò distribui permittam, quàm ea quæ debitè à reverendissimo domino episcopo Gandavensi vel ejus censore aut ab alio similem potestatem habente, legitimè approbata vel permissa fuerint. Sic me Deus adjuvet et hæc Sancta Dei Evangelia.

JURAMENTUM OBSTETRICUM.*

Jurent quod infantes à se excipiendos quantociùs, vel saltem intra tres dies baptizari curabunt, aut si obsistentibus parentibus vel amicis id efficere non possint quod mox pastori loci denuntiabunt.

Decreta et Ordinata Diæcesis Gandavensis, p. 74.

* This obstetric Jurament was usually administered by the dean rural of the district.

SECT. IV.—Diocese of Ruremonde.

SYNODAL CONSTITUTIONS ON THE DUTIES OF *Archpresbyters Rural* OF THE DIOCESE OF RUREMOND, BY BISHOP WILLIAM LINDAN, A.D. MDLXX.

I. QUIA non levem oneris nostri, laborisque ecclesiastici sustinent portionem *archpresbyteri*; æquissimum est, ut præ cæteris etiam presbyteris honorentur. Mandamus igitur, ut in omnibus ecclesiis parochialibus primum semper locum obtineant, in quibus quandò versabuntur, stolâ utentur super candidâ, quasi pastorum pastores, nostrique non minimâ ex parte vicarii. In ecclesiis vero collegiatis locum post *decanum*, et alias dignitates occupabunt, ante *vice-decanum*, vel seniore *canonicum*.

II. Deinde ne aut gratis militent, aut immoderato ecclesiæ graventur visitationum stipendio: statuimus, ut *archpresbyter* quilibet quotannis omnes suas perdiligenter visitet ecclesias, xenodochia, capellas, fraternitates, et sacras ædículas, in compitis piè collocatas. Stipendium autem visitationis *canonicæ* in oppidis erit unius *Philippei aurei*, 28. stufer. in pagis 18. stufer., salvo tamen (si offeratur ab ædilibus) prandio, idque sub *decanatibus* *Neomagens.*, *Graviens.* et *Batemburgens.* In reliquis vero 25. et 15. solent autem hæc stipendia antiquo more ædiles persolvere: a quibus et nunc erit exigendum.

III. Quando publicâ ex causâ ecclesiasticâ suos mittunt per regiunculas nuncios *archpresbyteri*; mandamus, ut pastorum singuli eis pendant a Paschate usque omnium SS. stuferum unum, reliquo vero tempore sesqui stuferum.

IV. Quum locis aliquot sacris fœdam istam incontinentiam regnare cognoverimus, ubi omnia esse oportebat sanctissima, sacerrima, et in primis cœlestia: mandamus *archpresbyteris* nostris, ut omni studio advigilent in sacrarum Virginum Christi confessarios, sive spirituales patres: an frequentioribus dediti computationibus, vespertinaque conviviis, aut ebrietatibus: an ullâ istius labis laborent suspicione, ne charissimum Christo domino sponso peculium ullâ amplius aspergatur fœdissimi scandali notâ. Quod si justas istius mali alicubi grassantis, aut meritò metuendi causas colligere queant, eas ad nos quamprimum perferendas procurent sub divini iudicii interminatione, nostrâque severâ animadversione.

V. Idem et de pastoribus plurimis observandum, qui suæ incontinentiæ nunc dedere pœnas, et suas dudum domibus submovere visi sunt concubinas, ut eâ diligentia ab ipsarum consuetudine, omni que familiaritate prorsus abstineant, quam ab istiusmodi lapsis exigit sacrosanctum Concilium Tridentinum.

VI. Quod si quæ concubinæ reperiantur tam effrontes, atque impudentes, ut ad

ædes pastorum ultro subinde recurrant, aut e viciniâ migrare nolint; semèl, atque iterùm monitas, ad nos de ipsarum pertinaciâ perscribant, et sacramentorum usu arceant.

VII. Quamvis ad unum omnes turpi concubinatûs notâ infamati, aut nobis quidem per aliorum inquisitionem, sive nostram visitationem noti, suis domibus amoverint concubinas; tamen cum perdolentèr intelligamus, non paucos adhuc in illorum viciniâ hædere, aut locis non ita dissitis, ut justa non habeant locum scandala; mandamus, ut archipresbyteri omnes hâc super re diligentèr inter visitandum inquirent, et ubi vel scandala perseverare, vel suspensiones non leves deprehenderint; moneant eas, ac severitèr interdicannt omni sacerdotum illorum colloquio et familiaritate, nec audeant in domos sacerdotum recurrere, aut ad convivia, nedum ad tabernas venire, ubi illi sunt; alioqui pœnâ sex dalerorum erunt mulctandæ: aut pro gravitate et frequentâ scandali, arbitrariâ, etiam carceris, si secundis archipresbyteri monitis illæ impudentes non paruerint.

VIII. Quia Decani nostri omnibus istis excessibus corrigendis soli sufficere non possint, ordinent singuli procuratorem officii in suo districtu, qui diligentèr circa excessus tam clericorum, quam laicorum invigilent.

IX. Qui vero contra statuta hæc et decreta Conciliorum Tridentini, Mechliniensis, et diocesani peccaverint, per se, et suo proprio sigillo citent eos coram episcopo, vel ejus officiali: nisi moniti Decanis obediant, et mulctas satisfaciant.

CC. Germaniæ, Tom. VII. p. 671.

SECT. V.—Diocese of Tournay.

RULES FOR DEANS OF CHRISTIANITY AND THEIR OFFICE IN THE DIOCESE OF TOURNAI, BY BISHOP DONGNYES, A.D. MDLXXIV.

I. QUO Decani debito suo munere perfectiùs fungantur singulis annis commissas sibi parochias diligentèr visitent de parochia, custodibus, sacellanis, et aliis nobis subditis, si quisque suo, ut oportet, fungatur officio, suæque vocationi respondeat, inquirent, et quos in præmissis negligentes repperint, juxta casus exigentiam corrigendos, absque dissimulatione curiæ nostræ denuncient.

II. Scholas omnes sui Decanatus visitent, an rectè institutæ sint, et si fortè in eis authores suspecti vel impudici prælegantur, qui puerorum moribus officere possint,

statim prohibeant scholarum rectores, qui iudicio nostro probati non fuerint, et literas nostras desuper non obtinuerint, ab exercitio suspendant, vel ex causâ removeant.

III. Quivis in suo decanatu parochos sibi commissos t^{er} quotannis convocet, inter Epiphaniam scilicet et Purificationem, Dominicam Exaudi et Trinitatem, festum Remigii et Omnium Sanctorum, diebus et locis per eum electis.

IV. In his autem convocationibus, ante omnia palam, et intelligibili voce, per unum ex parochis, quem decanus nominaverit, nostra statuta, synodalesque constitutiones legantur: et si quos abusus contra has commissos deprehenderit decanus, suos parochos, recepto à singulis juramento, dictos abusus scripto fideliter tradere compellet, quos postmodum cum sufficienti instructione, ad curiam nostram corrigendos referat.

V. Ad decanorum etiam officium pertinet, omnium beneficiorum sui decanatus bona et onera cognoscere, et si hujusmodi beneficia debitis non defraudentur obsequiis perquirere, ne videlicet bona hujusmodi per alienationes, locationes, similesve contractus, aut rectorum negligentiam depereant.

VI. Cæterum quo facilius eorum notitiam habeant decani, in virtute sanctæ obedientiæ subditis nostris injungimus, quatenus infra sex menses ab horum statutorum publicatione, quisque suorum beneficiorum terras, bona et redditus, cum suis oneribus particulariter describat, atque descripta suis decanis fideliter tradat, decani autem ad futuram rei memoriam in registrum redigant, cujus etiam authenticum singulis trienniis, per eos renovandum ad nos transmittant.

VII. Quare post hac nullas locationes, bonorum arrendationes, et earum corroborationes fieri volumus, ultra novem annos: nec nisi pretio justo et sine fraude, officialique nostro per attestationem decani sufficienter constiterit censitores ipsos quoad hoc, jurisdictioni nostræ sese submittere, condemnatione etiam desuper subsequatâ.

VIII. Aliter verò factas arrendationes, quemadmodum et venditiones, alienationes, in emphyteosim dationes, nisi pro evidenti ecclesiæ utilitate, juris formâ et solemnitate servatis, improbamus, et hujusmodi contractus tanquam nullos et irritos declaramus.

IX. Nemo quoque subditorum nostrorum, suos fructus elocare, et in censam dare prætendat, nisi viris verè Catholicis, et qui de fide nullo modo suspecti sint: et si fortè post inchoatam censam, à fide Catholicâ defecerint, ipsâ censâ (quâ viâ fieri poterit) sine mora priventur.

X. Quòd si beneficia possidentes suorum beneficiorum onera persolvere neglexerint, fructus omnes beneficiorum hujusmodi per decanum arrestentur, donèc de prædictorum onerum persolutione constiterit.

xi. Bona etiam ecclesiarum, seu beneficiorum per mortem vel resignationem aut aliàs vacantium, sed et litigiosorum, ac aliorum quorum possessores residentiam non faciunt, exceptis privilegiatis, qui de privilegio tempore debito fidem facere tenentur, imò eorum quæ rectores ob excommunicationis sententiam, vel commissum delictum administrare non possunt, omniumque presbyterorum illegitimorum, et aliorum ab intestato decedentium, simili arresto subicimus, *Decanis* nostris seriò injungentes, quatenus nomine nostro hujusmodi beneficia, de fructibus eorundem, in divinis laudabiliter deservire faciant, nec prius manum ab arresto levant, quàm aciverint in festo Joannis accepta collatione, et possessione per manus *Decani* legitime subsecutâ, quempiam idem beneficium pacificè possidere. Qui tamen *Decani* de hujusmodi administratione, nostris officiariis tempore et loco debitis rationem reddere tenebuntur.

xii. Deniquè si domos, aliaque ad ecclesias spectantia ædificia, rectores collabi permiserint, per *Decanos* de bonis sic arrestatis hujusmodi ædificia reparentur, alioquin ob commissam negligentiam propriis eorum expensis id ipsum fiat.

xiii. Ecclesias autem nostræ diœcesis, quæ ruinâ aut fortuito casu periêre, restaurari debere rationi consentaneum est, proindè qui decimas percipiunt, expensas chori necessarias sustinebunt, navis verò per collectam capitatim faciendam, populus supeditabit. Et illos per fructuum arrestationem, hos autem quâ viâ melius expedire videbitur, invocato etiam ad id, si opus sit, brachio seculari, contribuere compellemus.

xiv. *Decanis* etiam nostris prohibemus, ne extraneis sacerdotibus, commorandi, divinaque celebrandi licentiam concedant, nisi visis nostris vel vicariorum literis, et quadraginta librarum Parisiensium cautionem dederint, aut debitè consignaverint, alioquin ipsi *Decani* in hoc negotio negligentes, ad prædictam summam tenebuntur.

xv. Denique *Decani* dispensare non poterunt, nisi cum contrahentibus sponsalia de futuro, extra locum sacrum, et super diversitate *Decanatum*, si modò contrahentium alter, sui sit *Decanatus*, necnon in casu fornicationis, et simplicis adulterii.

Decreta et Statuta Synodi Diœcesis Tornacensis, p. 53.

SECT. VI.—Diocese of Ypres.

DUTIES OF ~~Deans~~ *Rural* IN THE DIOCESE OF YPRES, UNDER BISHOP FRANCIS
JOSEPH HUBERT DE WAVRANS, A.D. MDCCLXVIII.

I. CUM *Decanos pastorum pastores* esse tam ipsorum commissio, quàm synodalia decreta manifestè supponant; eos monemus imprimis, ut sese gravitèr obligari meminerint ad curandum assiduè, non solum, ut sacerdotes omnes et clerici sui districtis vitam agant suâ vocatione dignam; sed etiam, et specialitèr, ut pastores in omni functione sui pastoralis officii rectè diligentèrque versentur; ipsos ad hoc, quando opus fuerit, visitando, monendo, corripiendo, consolando, consilio adjuvando, ac veri pastoris officium erga eos sanos et ægrotos, fideliter obeundo.

Neque tantum presbyteris, aut ecclesiarum parochialium ministris, *Decanos* præfici intelligimus; sed universo populo. Ita nimirum, ut etiam laici in suis difficultatibus, quas fortè causâ negotiorum ecclesiæ, aut aliàs quomodocumque inter se, vel cum pastoribus suis habent, possint liberè ad suos *Decanos* recurrere, eorumque consilium et auxilium implorare: neque *Decani* unquam sic requisiti, ipsis officium et operam suam subtrahant aut denegent; quin potiùs, intellectis illorum differentiis, etsi a nemine requirantur, quantum poterunt, ex æquo et bono eas componere satagant: sic tamen, ut ipsi pastores in componendis parochianorum suorum dissidiis, *Decanos* suos prævenire debeant, et si opus fuerit, eorum auxilium et auctoritatem implorare.

II. Utque *Decani* tam præfata, quam varia alia, quæ eorum dignitatis et officii sunt, exactiùs et accuratiùs exequantur, atque in omnibus conscientiam suam exonerent; hoc *primo triennio* singulis annis, dein vero *ad minus singulis bienniis*, sedulò et in timore domini omnium sui districtis parochiarum visitationem instituent, quâ mediante, possint integrum cujusque parochiæ statum plenè cognoscere, eumque nobis (copiâ ejus apud se retentâ) fidelitèr referre; ut hæc pleniori habitâ notitiâ, intelligere et statuere valeamus, quæ pro bono diocesis nostræ regimine exindè occurrerint ordinanda.

Hanc visitationem *Decani* singuli instituent primâ, aut certe secundâ hebdomadâ post dominicam *in Albis*; quam infra mensem non tantum absolvent; sed etiam ante festum *Pentecostes* proximè sequens, ad nos transmittent acta illius, nitidè servatoque ordine descripta; compendiosè ad ejus calcem redigendo puncta illa, quæ pro singulis parochiis, examen et attentionem nostram specialiùs requirere videbuntur. Si verò, ob rationes particulares hic longiori morâ opus fuerit, aut per *Decanum* aliquem tempore præfixo visitatio hæc fieri nequiverit, causas, rationesque nobis exponet, ut

de illarum sufficientiâ judicemus; et si legitime impeditus fuerit, per alium a nobis deputandum suppleri satagamus.

III. Ut autem hujusmodi visitationes majori cum fructu decant instituant, aliquam parochialem ecclesiam visitaturi, diem et horam visitationis suæ pastori illius ecclesiæ præsignificari tempestivè curent, qui eam de suggestu populo annuntiabit, monendo, nominatim sacellanum, custodem, nec non administratores fabricæ et mensæ pauperum, cum notabilioribus personis parochiæ, ut secum in ecclesiam convenient visitatorem expectaturi, quem cum debitâ veneratione, et pulsu saltem unius campanæ, intra missarum solemnias excipient. Neque tantum dum parochias visitabunt, sed quovis alio loco et tempore, pastores, aliique de clero et populo, decanorum auctoritatem, dignitatem, et superioritatem agnoscant, eisque honorem et reverentiam exhibeant.

In eum finem, et ut majori zelo functiones suas persolvant decant, ultra facultates per præsentibus ipsis a nobis concessas, eisdem innovamus præterea, et sub eodem tenore, alias omnes et singulas in sæpius laudato ultimi prædecessoris nostri decreto comprehensas, nominatim *Art. II.* prohibentes, ne quis imposterum præter præfatos decanos, ornamenta, aut sacram suppellectilem quamcumque benedicat, nisi ad hoc specialem facultatem a nobis *in scriptis* obtinuerit, tametsi hujusmodi facultas ipsis aliàs quomodocumque fuisset concessa; quam ex nunc cessare, et revocari per præsentibus declaramus.

IV. Decant in suâ visitatione præ cæteris, sed providè et circumspectè, inquirent de *pastoribus*, si sint bonæ conversationis, et exemplaris vitæ; si debita inter eos et parochianos sit concordia; si officio suo, et piis foundationibus satisfaciant; si in administrandis sacramentis et visitandis infirmis, omnem diligentiam et sollicitudinem adhibeant, et servent honestatem; si denique scholarum et juventutis instituendæ curam gerant? Inter alia, eos tunc maximè moneant et hortentur, quatenus vitam suam ita componere studeant, ut nullum tempus otio diffuere sinant: "In quem finem (addebat olim R. Prædecessor noster GEORGIUS) poterunt ab illis exigere rationem et distributionem temporis; qualiter scilicet, illud transigant, et in quibus se exercent; an, et quos libros spirituales legant; an singulis diebus aliquod tempus orationi mentali impendant; an conscientiam suam statuto tempore examinent; cui, et quotiès confiteantur; an, et quibus studiis vacent? Inspectisque illorum libris, non erit inutile aliquandò his de rebus familiares sermones instituere, ut et profectum illorum intelligere, et nos suo tempore debitè valeant informare."

V. Curent proinde decant, moneantque pastores, ut habeant, aut sibi quamprimum comparent (quod etiam ipsis mandamus, et injungimus) præter scripturam sacram, et

aliquem commentarium in illam; 1. Concilium Tridentinum, ejusque catechismus. 2. Synodum primam et secundam provincialem, si commodè inveniri possint, cum statutis et decretis diocesanis; ac nominatim hanc nostram instructionem pastorem. 3. Unam aut alteram probatè authoris Theologiam moralem; et 4. aliquot libros pios et asceticos, qui quotidianæ meditationi et lectioni spirituali ipsis inservire possint et debeant: præ cæteris vero ipsis hic commendamus et consulimus, præter libellum *de imitatione Christi*, opuscula S. *Francisci Salesii*, *Ludovici Granatensis*, et *Alphonsi Rodriguez*, acta ecclesiæ *Mediolanensis* sub S. *Carolo*, ejusdem instructiones, ac opera minora SS. D. *Benedicti XIV.*

VI. Quoad *sacellanos* verò, seu vicarios, quibus paritèr injungimus, ut præfatos libros sibi quamprimum comparare curent, inquirent decanum, si sint honestæ vitæ; si oneribus suæ capellanæ ex foundatione, vel contractu in omnibus satisfaciant; si in iis, quæ pastoralis officii sunt, pastori subsint, et obediant, eique debitum honorem et obsequium præstent? Sic tamen, ut simul commendent pastoribus, ne vicarios suos, quos ut cooperatores in vineâ Domini coram Deo et populo vicissim honorare debent, in aliquo despiciant, molestiâ afficiant; aut in illos, ut servos suos vel mercenarios, *pondus dei et æstus* excutiant, ut ipsi otio et torpori indulgeant.

Ubi nihilominus contigerit, vicarium aliquem seu sacellanum plus æquo gravari a suo pastore, aut quancumque cum eo habere differentiam, seu difficultatem; volumus, ut in hujusmodi casibus, quos rarè aut numquam evenire confidimus, provisionalitèr pastori suo, in his quæ illi injunxerit, subjaceat et obedire teneatur; donec per decanum (ad quem sive intra, sive extra visitationem, hujusmodi causæ quamprimum exortæ fuerint, deferri debebunt) ordinatum et statutum fuerit prout juris; aut, si forte acquiescere recusaverint, res tota per nosipos judicata et terminata fuerit.

Circa *custodes*, qui simul ludimagistri esse solent, inquirent decanus, si sint bonæ vitæ et conversationis; si semper parati et præstò sint in impendendo suo ministerio ecclesiæ et pastori; si ornamentorum et suppellectilis ecclesiæ diligentem curam habeant; si juventutem in literis, bonis moribus et fidei rudimentis sufficientèr instruant; si pueros modum doceant ad inserviendum sacerdoti celebranti; quos libros ab illis discendos subministrent?

Circa *magistros fabricæ et mensæ pauperum*, inquirent, si boni sint et fideles in suâ administratione; si piis foundationibus, earumque oneribus quoad omnia satisfaciant, et satisfieri procurent; si studiosè observent, quæ per statuta et principum edicta pro fabricarum et mensarum pauperum indemnitate nedum, sed et pro ipsarum providâ et utiliori administratione ipsis injunguntur?

Pastores quoque moneantur, ut si quas difficultates præciant vel prævideant movendas circa computus fabricæ aut mensæ pauperum, quibus decanorū interesse oportuerit, illos desuper tempestivè præveniant et informant, quatenus, si opus fuerit, consilium a nobis, aut ulteriorem instructionem petere valeant.

Denique circa *stationarios*, qui certis temporibus ad prædicandum verbum Dei, aut fidelium confessiones audiendas ad parochiales ecclesias, ruri præsertim, mitti solent, inquirant decanī à pastoribus et vicariis, de eorum vitâ et moribus; ac etiam, quo zelo et fructu in sacris illis ministeriis sese exerceant?

VII. Et quia sæpe contingit, ecclesiarum et piarum fundationum munimenta deperdi, aut a defunctorum pastorum hæredibus auferri, non sine magno illarum præjudicio: non solum mandamus pastoribus, ut in illis fidelitè integrèque asservandis sint solliciti (de quo etiam per decanos in suis visitationibus eos serio moneri volumus) sed insupèr injungimus, ut decanī, mortuo aliquo pastore sui districtis, etiamsi regularis fuerit, statim omnia munimenta fabricæ vel mensæ pauperum, si quæ fuerint; item quæ ad pastorum, aut fundationes pias quomodocumque spectabunt, ac speciatim *manuale* defuncti, in quo reddituum a se perceptorum rationes describebat, sub inventario secum deferant, successori, dum fuerit institutus, sub attestatione de receptis, tradendâ. Quod si hæredes, aut quivis alii hujusmodi munimenta requisiverint, quod iis fortè ad executionem testamenti, aut alitè re verâ indigeant; dabunt extractum, seu copiam istius documenti, quo se indigere asserent, et nihil ultra.

VIII. Cum multum referat, ut Sodalitia, seu piæ confraternitates in ecclesiis parochialibus canonicè erectæ, in vigore permaneant, atque in eum finem bullæ illarum, munimenta et privilegia sollicitè conserventur; injungimus decanis, ut in proximâ suâ visitatione et deinceps sæpius, 1. Inquirant in singulis parochiis, an, et quæ confraternitates in earum ecclesiis sint erectæ. 2. Ut bullas earum et munimenta produci faciant, ex quibus perspiciant, non tantum an canonicè, servatisque servandis erectæ existant; sed etiam, an pastor, aut quivis alii, ad quos spectare potest, indulgentias ejusmodi confratribus concessas, suo tempore innovari curent. Ac 3. Ut de illis omnibus notam teneant in actibus suis, nosque exactissimè informant; quæque, cum proportionem, ad curam et visitationem SS. reliquiarum, quæ in præfatis ecclesiis existunt, qualesque in singulis haberi desideramus, meritò extendenda sunt, atque extendi volumus.

IX. Additur in statutis; decanis licere, quoties expedire videbitur, omnes pastores sui decanatus ad aliquam parochialem ecclesiam convocare, atque cum illis communiter et divisim, consilia de pastoralis officio, et pro uniformi executione et observatione

statutorum tractare: volumus tamen, ut ejusmodi convocationes numquam fiant, nisi de consensu nostro, et ex causâ per nos approbatâ.

Verum, præter has extraordinarias et incidentes *pastorum congregationes*, volunt synodi nostræ post *S. Caroli*, et tot aliorum episcoporum ordinationes et decreta, ut ejusmodi congregationes seu capitula, singuli *Decani* regularitèr, et ad minus semel quotannis celebrent eo tempore, ac die, quo ordinarius statuerit; quas nihilominus non sine disciplinæ ecclesiasticæ relaxatione, damnoque animarum intermissas, neglectasque videmus hoc tempore.

Ut igitur medium tam opportunum, aut etiam necessarium, quo variis abusibus, vitiisque efficacitèr occurrì et provideri potest, in diocesi nostrâ quamprimum restituatur; *Decanis* nostris præcipimus, ut singuli exinceps et imposterum, quolibet anno sub mense *Septembri* hujusmodi congregationem pastorem indicant, et curent celebrari, die tum ipsis, tum pastoribus suis magis opportuno, quem tamen quindena præcedente nobis significare debebunt; ut ita, si expedire judicaverimus, vel personalitèr, aut per deputatum nostrum illi adesse; vel saltèm, quæ ordinanda aut insinuanda habuerimus, ipsis *Decanis* tempestivè communicare et commendare valeamus.

x. Sic autem congregationes illæ celebrentur, ut non ad compotandum aut expatiandum dumtaxat, sed ad tractandum de rebus seriis, quæque ad ecclesiæ nostræ utilitatem conferre debent eas indictas esse omnibus innotescat. Hinc, post missam *de S. Spiritu*, vel aliam diei conformem, si rubricæ id exigant, per unum e pastoribus decantatam, et prælecta puncta aliquot ex hac nostra pastoralis instructione (illa præcipuè, quæ magis singularem attentionem et observantiam requirunt, tametsi nullum quoque ex cæteris omitti, minus vero negligi possit) *Decanus* seriò pièque pastores suos alloquetur et exhortabitur, quatenus se totos, suaque munia ordinationibus nostris, statutis, et manualis præscriptionibus studeant conformare; maximè vero in his, quæ eo tempore ex præfatâ instructione prælecta et tractanda fuerint.

Dein, si quæ ex parte nostrâ congregationi fuerint communicanda, ea *Decani* fidelitèr exponunt, et paritèr ab omnibus observari curabunt.

Tandem singuli pastorum, si quas difficultates habeant, aut casus resolvendos, eos in medium adferant, et datâ cuique libertate sensa pandendi, cuncta æquâ charitatis et justitiæ lance examinentur et dirimantur. Nemo contentionis studia misceat, sed omnes in unitate spiritûs, animisque societatis in eundem scopum, in salutem nempe animarum, et Dei gloriam collimare intendant. Si quid nihilominus dissidii aut controversiæ inter eos subortum fuerit, ipsos ad mutuam benevolentiam atque concordiam *Decani* adducere conabuntur. Sin minus, volumus, ut in casu hujusmodi, re totâ, de qua controvertitur, in deliberationem positâ, ac secundum cujusque sincerum

judicium et conscientiae testimonium maturè discussâ, singuli resolutioni majoris partis adhærere teneantur; donec saltem, si res ardua fuerit, aut notabilis præjudiciû, per nosipsos, quid statuendum et sequendum sit, declaratum fuerit.

XI. *Prandium*, quod ex communi symbolo parabitur in domo *decani* aut pastoris, apud quem eo anno congregationem institui contigerit, semper *frugale sit et moderatum*, ne quis sumptibus vel potu gravetur, quod omnino caveri volumus; in eum finem mandantes, ne cujusque prandii taxa aut contributio excedat quatuor solidos cambiales; quorum habitâ proportionem, *decanus* semel pro semper, cibi potisque quantitatem tunc apponendam determinabit, et ab unoquoque, apud quem prandium institui debuerit, exactè et sub mulctâ observari faciet; impeditque, ne ultra duas horas refectio protrahatur.

Et ut omnia majori cum ædificatione hic fiant; *decanus* ipse dicet in mensâ *benedictionem*, et *gratiarum actionem*, sequendo ritum clericis in breviario præscriptum. Ante comestionem, junior pastorum tractum et devotè præleget unum caput, vel ejus dimidium, ex *Novo Testamento*, cujus lectionem terminabit his verbis Apostoli: *Sive manducatis, sive bibitis, sive aliud quid facitis, omnia in gloriam Dei facite*. Post comestionem vero, idem præleget caput ex libello *de imitatione Christi*: ac tandèm omnia concludet *decanus*, recitando Psalm. *De profundis*, pro pastoribus et sacerdotibus diocesanis, qui in decursu anni ex hac vita migraverunt. Hic nobis opportunè occurrit *Canon 7. Concilii Tolet. III.*: “Pro reverentiâ Dei sacerdotum, id universa sancta constituit synodus; ut quia solent crebrò mensis otiosæ fabulæ interponi, in omni sacerdotali convivio lectio Scripturarum Divinarum misceatur: per hoc enim et animæ ædificantur in bonum, et fabulæ non necessariæ prohibentur.”

Omnes extranei, etiam ecclesiastici aut religiosi cujuscumque qualitatis aut conditionis, præter eos, qui a nobis ad hujusmodi congregationem mitti aut deputari possent, ab hisce conviviis prorsus excludantur; ut sic majori cum fructu et libertate liceat pastoribus de rebus ecclesiæ et ministerii sui inter se agere et conferre.

Ad dictorum prandiorum sumptus, pastores absentes etiam legitimè impediti, perinde ac præsentem æqualitèr contribuere teneantur; dum nihilominus, omnibus et singulis pastoribus cujusque districtus injungimus, ut præfatis congregationibus personaliter intersint sub mulctâ *sex Florenorum* pauperibus erogandâ; nisi gravi justoque detineantur impedimento, de quo scripto, aut nuntio, *decano* suo certam fidem fecerint.

XII. Quæ hic quoad prandii dispositionem, pastorum præsentiam, conferentiam inter se habendam, aliaque, quæ in congregationibus præfatis tam a *decanis*, quam pastoribus observari injungimus, ea cum proportionem observabunt quoque, dum

quotannis convenient ad *SS. Oleorum distributionem*: quam cæremoniam maximè optamus etiam in diœcesi nostrâ quemadmodum in variis aliis injungi et observari non ignoramus, fieri in unâ aut aliâ ecclesiâ parochiali, et cum missarum solemnibus, per *Decanum*, aut aliquem ex pastoribus decantandis; eâque decentiâ et apparatu quoad cætera, ut debitam reverentiam erga *SS. Olea*, ipsaque sacramenta, ad quæ ordinantur, tam clero, quam populo conciliare possint: quæ omnia, an, et quomodo executioni mandari valeant, requirimus, ut in proximâ congregatione *Decani* et pastores pro zelo suo examinent, et ad nos referant.

XIII. Ut autem pastorales congregationes majori non solum successu et uniformitate, sed etiam animorum concordia, debitâque erga nos subordinatione perficiantur et continuentur; insuper exigimus, ut omnes *Decani* singulis bienniis in mense *Septembri* (alternis tamen ab iis, quibus districtus sui visitationem instituent) die et horâ a nobis præfigendis, se sistant unâ cum D. archipresbytero civitatensi, in palatio nostro episcopali, ubi de statu ecclesiæ nostræ maturè conferamus, mediaque proponamus, quibus status et disciplina ecclesiæ nostræ promoveri, et vitiorum zizania, si quæ seu in clero, seu in populo subnata sint, sedulò et tempestivè evelli et destrui valeant.

Cumque fraterna charitas postulet, ut quos habuimus in vitâ laborum socios, eisdem post mortem Christianæ pietatis officium impendamus; mortuo aliquo pastore, cæteri ejusdem districtus tam sæculares, quam regulares per *Decanum* moniti, primâ commoditate missam pro ipsius animæ refrigerio celebrabunt: pro *Decano* vero, non solum singuli pastores illius districtus, sed omnes quoque diœcesis *Decani* idipsum præstare non omittent.

Omnes *Decani* librum habeant, in quo fidelitè describant, et successoribus suis transmittant, quæ a se et in suâ qualitate gesta sunt, et ad suum officium principalitè spectant aut referri debent: ut sunt imprimis, acta et resolutiones congregationum *Decanatum* et *pastoralium*; visitationes *Decanales*; dies possessionum et obitus pastorum, vicariorum, et sacellanorum; literæ et mandata ipsis in eadem sua qualitate a nobis directæ, etc.

CC. *Germaniæ*, Tom. x. p. 663—68.

Germany.

SECT. I.—Diocese of Augsburg.

DUTIES OF *Deans Rural* OF THE DIOCESE OF AUGSBURG UNDER BISHOP HENRY-A-KNÖRINGEN, A.D. MDCX.

I. FACIT tanta diœcesis nostræ amplitudo, et tanta negotiorum moles, ut ipsimet præsentēs totius gregis nostri necessitates cognoscere, et remedia opportuna adhibere haud possimus. Quamobrem visum est, more, exemploque majorum partem aliquam curæ et laboris pastoralis cum iis partiri, quos jam ante certis episcopatûs nostri regiunculis præfectos, vulgò *decanos rurales* vocamus; quod ut majori ecclesiæ bono fiat, curabimus, ut deinceps ei muneri quàm maximè idonei præfiantur.

II. Quamobrem, ubi in locum vacantis *decanatûs* aliquis sufficiens erit, volumus, ut omnes illi *capitûlo* adscripti et canonicè instituti clerici, ad certum diem, a nobis, vel vicario nostro nominatum, conveniant, et ejus integritatis, eruditionis ac prudentiæ sacerdotem eligant, quem meritò sperare possint cum fructu et dignitate id munus obiturum.

III. Deindè electum nobis, vel vicario nostro primo quoque tempore præsentent, quem, ubi habitâ diligenti inquisitione idoneum cognoverimus, post præstitam ab eo publicam orthodoxæ fidei professionem et juramentum consuetum, confirmabimus. Quod, priusquam fiat, officio *decanatus* nullo modo fungatur, nec se hoc titulo scribi vel nominari patiatur.

FORMA JURAMENTI à *Decanis Ruralibus* PRÆSTANDI.

Ego N. juro ac promitto Deo Omnipotenti, et Beatæ Mariæ Virgini Patronæ Ecclesiæ Augustanæ, quod episcopo Augustano, et suis successoribus canonicè intrantibus, fidelis et obediens ero: quod etiam ejus, ac vicarii, officialis, et judicum suorum mandata fideliter exequar: præterea quod remoto omni dolo et fraude decani officio pro viribus satisfaciam. Sic me Deus adjuvet, et hæc Sancta Dei Evangelia.

IV. Ad *decani* officium inprimis pertinet, pastores in sibi creditâ regiunculâ ad *capitulum* bis in anno convocare, tempore a nobis constituto, ut si ita expedire judicaverimus, vel aliquem ad illud mittere, vel si quæ significanda forent, scripto significare possimus. Rationem vero et modum in celebrando *capitûlo* observabit sequenti capite præscriptum.

v. Deinde ejus muneris et functionis esse volumus, adjuncto sibi camerario, vel alio a nobis deputato, ecclesias parochiales, capellas, aliaque pia loca districtis sui quotannis visitare, actaque visitationis semper post quodvis capitulum regiunculæ suæ nobis, vel vicario nostro transmittere.

vi. Inspiciet autem non modo ecclesias ipsas, sed etiam sacristias, vasa sacra, vestes, ornamenta, cœmeteria, sepulturas, parochorum, aliorumque clericorum ædes ac familias, prædia et census attentè notans, quam omnia integra, munda suo loco et ordine, ac tutò conserventur, et quid in quaque re desit.

vii. Inter cætera inquirat prudenter et cautè, an pastores ipsi, ac cæteri sacerdotes et ministri ecclesiæ officio suo in prædicatione verbi Dei, celebratione missarum, administratione sacramentorum, ac cæteris omnibus satisfiant, et quæ sit eorum vitæ ac morum ratio, qui vestitus, quibuscum versari soleant, qualis eorum familia, an studiis gradui suo convenientibus, an aliis intenti sint.

viii. Studeat quoque cognoscere, an in populo sint hæretici, vel de hæresi suspecti, cultores artis magicæ et superstitionum, usurarii, concubinarij publici, alique flagitiosi homines, qui inimicitias scandalosas gerant, quique stata jejunia, dies festos, et alia ecclesiæ præcepta non servant. Speciatim quoque inquirat de scholis, quos libros ludimagistri discendos proponant, et an officio suo satisfiant, et omnino tales sint, et ita admissi, quemadmodum in hac synodo mandavimus. Neque solum hæc, sed quæcunque à Tridentino Concilio et à nobis præscripta sunt, quæque pro suâ prudentiâ, et pietate ad utilitatem ac salutem populorum ei in mentem venerint, exquirat.

ix. Ut autem decant hanc sui muneris partem rectiùs et majori fructu obeant, expedit illos habere, et diligentè legere libros: Concil. Tridentinum, manuale visitatorum feliciani, obsequiale, et hæc decreta synodalia. Deinde singulis locis, à viris ætate, usu et probitate commendatis de omnibus prudenter inquirant, quæ pro officii sui munere scire volent.

x. Sacerdotes vero omnes decant suis morem gerant, cum vocati fuerint ad capitulum, veniant, ipsos humanitè excipiant, hospitium et victum libentè et gratis præbeant, dum visitare volent, et suam operam promptè ac sedulò præsent, admonitiones et mandata, quæ pro officio dabunt, reverentè excipiant, iisque pareant. Caveant vero decant, ne sumptus in itinere superfluos faciant, et ut apud eos, quos visitaverint, mensâ frugali et modestâ contenti sint.

xi. Quando aliquis ex curatis, vel aliis clericis egrotaverit, eum decant invisant, consolentur, et curent, ut tam spiritualia, quàm temporalia subsidia habeat. Si obierit, rerum relictarum per se, vel per camerarium, aut unum ex deputatis,

adjuncto notario, si haberi possit, et duobus testibus, inventarium conficiant, hæreditatem totam arrestent, et obsignent.

XII. Porrò vicarium nostrum de obitu, et supra dictis à se peractis sine morâ certiorum faciant, simulque quo in statu sedes beneficiales repererint, referant, ut, si quid in illis ex negligentia destructum et ruinosum reparatione opus habuerit, de bonis relictis, antequam distrahantur, refici possit.

XIII. Ecclesiis vero ex obitu parochorum viduatæ, provideant decanatus per alios clericos a nobis ad curam animarum approbatos, vel quos ipsi pro tempore illo idoneos judicaverint, donec alius canonicè substituatur, assignatâ ejusmodi provisioribus, salarii loco, congruâ portione fructuum.

XIV. Camerarii ærario capitulari præfecti, et decanatus legitimè impeditis substituti sunt, quibus inaniis aut inconsultis nihil facere, aut constituere possunt. Eorum est census capituli et multas, quæ quâvis ratione debentur, colligere, et de eisdem singulis semestribus toti capitulo rationem reddere.

XV. Ut res et jura ecclesiastica servantur, vel amissa recuperentur, sollicitè parochos et alios beneficiatos urgeant, ne quid vel negligentia, vel aliorum vi usurpetur. Si quid insolentius alicubi fiat, id nobis significent.

XVI. Ne ecclesiæ vel beneficia debitis onerentur, neve fructus in damnum successoris ab antecessore vendantur, aut prædia elocentur, aut sine cultura debitâ relinquantur ac negligantur, invigilent.

XVII. Quia verò interdum rectores ecclesiarum res et jura beneficiis suis iniquè subtracta recuperare per negligentiam aut simplicitatem omittunt, vel potentia adversariorum absteriti cum iisdem judicio contendere non audent; nos, ne jura ecclesiarum indefensa remaneant, hac nostra constitutione singulorum capitulorum ruralium decanos constituimus, et deputamus in perpetuos procuratores synodales ad repetendas et recuperandas res et bona quorumlibet beneficiorum, ecclesiarum et locorum piorum capituli sui; dantes eisdem potestatem et personam legitimam standi in judicio nostro ecclesiastico, aliisque competentibus contra quoscumque occupatores et detentores, sive laicos, sive ecclesiasticos, actionesque congruentes contra eosdem instituendi, et usque ad sententiam definitivam, ejusque executionem plenariam prosequendi, etiam cum invocatione brachii sæcularis, quatenus opus sit, et facultate alium, vel alios in locum suum substituendi, quibus nos etiam unum ex advocatis consistorialibus adjungere curabimus, quorum consilio et patrocinio actiones suas instituant.

XVIII. Ad cathedraticum primarios fructus, subsidia charitativa, et id genus alia quod attinet, decanus cum camerario se in illis more antiquo colligendis, fideles

præsent, additâ etiam, si opus fuerit, ne ecclesia veteri suo jure privetur, arrestatione.

xx. Rationem sui muneris dabunt decanî rurales nobis, aut vicario nostro generali quotannis bis, post celebrata nimirum capitula, et quidem scripto, si coram commodè non possint, quo speciatim explicari volumus, quas ecclesias quisque suæ regiunculæ utroque semestri visitaverint, ejusque visitationis acta transmitti.

xx. Camerarii, cum primum hoc munus suscipient, præter professionem fidei præstabunt etiam more decanorum juramentum fidelitatis et administrationis suæ rationem reddent, quoties a nobis, vel vicario nostro fuerint requisiti.

xxi. Congregationes capitulares convocari volumus singulis semestribus more jam recepto, et quidem die aliquo profesto, quo ab ecclesiis suis tum parochi, tum alii, quibus conveniendum erit, commodè abesse possint.

xxii. Convenire autem mandamus cum decano omnes illius districtûs parochos, sacellanos, sacerdotes et clericos beneficiatos non modo sæculares, verum etiam regulares, iis duntaxat exceptis, quos vel canonicum impedimentum, vel præsens ecclesiæ necessitas eximet, de quibus cognoscet decanus, referetque vicario nostro, qui, et quamobrem abfuerint; ut, quorum legitima excusatio non fuerit, in eos pœna decernatur.

xxiii. Locus conventûs capitularis erit aliqua ecclesia parochialis, vel illius sacristia, domus parochialis, vel alia canonica, nullo modo publicum hospitium, vel caupona. Pridie illius conventûs confitebuntur omnes et singuli sacerdoti a nobis juxta Concil. Trid. approbato, de quo, si exigit decanus, fidem facere teneantur, quemadmodum et de confessione ordinariâ, quam menstruè facere debent.

xxiv. Ipso die capituli celebrandi faciant omnes sacrum pro fratribus et benefactoribus tam vivis, quam defunctis, observante interim decano, vel alio ab eo constituto singulorum ritus, num conformes sint usui Romano, et qui indigebunt, moneantur de notatis defectibus, ut eos corrigant.

xxv. Fiant etiam, ut hactenus, duo solemnia sacra, unum pro defunctis, alterum prout hactenus consueverunt, iisque absolutis, processio ad locum capituli, ubi sessionis hunc ordinem servant, ut post decanum, camerarium, et assistentes, proximi sedeant parochi, deinde sacerdotes alii, habitâ inter eos, qui sunt ejusdem ordinis, ratione antiquitatis.

xxvi. Ubi primùm consederint, et absentium, si qui fuerint, excusationes, quæ scripto fieri debent, decanus exposuerit, surgent omnes, et procumbent in genua conversi ad imaginem crucifixi, quæ ponetur in mensâ, ad quam sedebit decanus

cum camerario, recitabuntque alternatim ad implorandam gratiam Sancti Spiritus hymnum: *Veni Creator Spiritus*; cui subjunget decanus collectam. Similiter ad finem congregationis recitabunt singuli flexis genibus *Pater et Ave*.

xxvii. Considentibus denuò congregatis, proponetur primum omnium, si quid nos, vel vicarius noster pro tempore proponendum præscripserimus. Deindè inquireretur, an re ipsa præstita sint, si quæ in ultimo conventu decanus nostro, aut vicarii nostri, aut suo etiam nomine facienda injunxit. Tertio dabitur responsum ad ea, quæ fortè in eodem ultimo conventu proposita, tum expediri certas ob causas non potuerunt. Quarto, quæret decanus, num quisquam sciat aliquod in totâ regiunculâ scandalum in clero, vel populo accidisse, cui debito modo, per quos debuit, remedium non sit adhibitum, et si illud necdum sublatum sit, quomodo videatur tolli posse. Quinto, num aliqua nova gravamina alicui personæ ecclesiasticæ, vel beneficio contra jus imposita sint. Sexto, num aliis difficultatibus et necessitatibus quisquam clericus regiunculæ, aut etiam sæcularis prematur, cui auxilium debeat. Septimo interrogabit decanus, num ullus noscatur in districtu capituli beneficiatus, qui canonicam institutionem non habeat; vel qui confessiones audiat, non approbatus juxta formam Concilii Tridentini. Octavo, an parochi quos, et quales debent cooperatores, et alios sacerdotes habeant, et suo muneri maximè quoad sacramentorum administrationem, prædicationem verbi Dei, et celebrationem missarum faciant satis. Nono, an ullas noscatur in toto capitulo, in quo jure desideretur honestas clericalis quoad vitam, mores, studia, habitum, familiam, et qui menstrue non confiteatur juxta præceptum synodale, et citius etiam, si in eo fuerit notatus excessus, qui præsumi poterat esse mortalis.

xxviii. His peractis, decanus in singulis capitulis legat ipse, vel legi curet ab alio, unam ex quatuor partibus horum decretorum synodaliū, nec ulla ratione hanc lectionem prætermittat, etiam si proptereà in loco congregationis unâ atque alterâ horâ diutius manendum esset, atque eâ occasione intelligere studeat, num omnes ista decreta habeant, et observent.

xxix. Inter legendum si quid decano occurrerit, ad cujus observationem judicet peculiaritèr exhortandos præsentēs, vel de ratione observandi informandos, vel simile quid, licebit id breviter facere.

xxx. Crapulæ, ebrietatis, et quodvis intemperantiæ vitium cum omni tempore studiosè vitare debent ii, qui sunt divinis consecrati ministeriis, tum eo potissimum quo ad congregationes capitulares de suis erga Deum, ecclesiasque suas officiis tractaturi conveniunt. Si quid enim tum intemperantèr à quoquam agi cernitur, cedit id in magnam disciplinæ ecclesiasticæ contemptum, et fidelis populi gravem offensionem.

xxxI. Quapropter volumus ac mandamus, ut prandium, quod post ejusmodi congregationes simul sument, admodum moderatum et frugale sit, et quam brevissimè absolvatur, ut potius necessariæ refectionis, quam convivii rationem habeat: in quo imprimis evitetur omnis provocatio ad æquales haustus, aut quæcunque temperantiæ et sobrietatis legibus adversa compotatio, quocunque nomine aut modo instituta, et ita suam quisque domum maturè et sobrius repetat.

xxxII. Porro capitula ruralia potestatem quidquam definiendi aut decernendi non habent, sed tantum inquirendi, referendi, exequendi, quæ illis in his nostris synodalibus actibus commissa sunt, aut deinceps speciatim à nobis, vel vicario nostro commendabuntur.

xxxIII. Post cujusque capituli finem referet Decanus vicario nostro coram, si commodè possit, vel per literas, quid actum sit, explicando speciatim, num omnes adfuerint, qui debebant, an lecta fuerit pars aliqua ex his nostris decretis synodalibus, inquisitio facta de articulis supra Canone 7. præscriptis: et num aliquis notabilis defectus deprehensus, qui corrigi non potuerit, sed vel per nos, vel præfatum vicarium nostrum corrigi debeat.

xxxIV. Sigillum proprium singula capitula habeant, et matriculam, in quam omnium ad capitulum de jure vel consuetudine pertinentium nomina referantur, officia item, patria, diocesis, mors et tempus ingressus in capitulum, vel in hanc diocesin, et post mortem, si quid memorabile ab eo gestum ad exemplum et ædificationem. Atque ex hac matriculâ commendentur tempore congregationis.

xxxv. Habeatur præterea liber in singulis capitulis, in quem à camerario referantur acta singularum congregationum, præsertim majoris momenti, et difficultates propositæ ut, cum necesse erit, vicario nostro, et quos subinde mittemus, visitoribus certius constare possit, quid quoque tempore actum sit.

CC. Germaniæ, Tom. ix. p. 63—67.

SECT. II.—Diocese of Basle.

SYNODAL STATUTES OF THE DIOCESE OF BASLE, RESPECTING THE DUTIES OF
Deans Rural, BY BISHOP CHRISTOPHER AB UFFENHEIM, A.D. MDIII.

I. STATUIMUS, ut Decanus ruralis nobis, vel vicario nostro, nomina beneficiorum, quæ infra suum Decanatum, ultra tempus juris vacaverint, intimare procuret, simul et cum nominibus collatorum hujusmodi beneficiorum: similiter etiam nomina eorum,

qui vigore literarum apostolicarum, vel legatorum, vel precum imperialium, aut regalum, infra suum **Decanatum** beneficia ecclesiastica assequuntur, eorundemque beneficiorum nomina: vel ad id faciendum, ipsi **Decano** mensis spatium præfigimus, infra quod insinuationem hujusmodi nobis, vel vicario nostro faciat.

II. **Decanus** nullum presbyterum infra suum **Decanatum** quodcunque beneficium ecclesiasticum inofficiare permittat, nisi sibi titulum, investituram, seu commissionem suam infra spatium unius mensis, a publicatione præsentium sequentis, ostendat. Quod si quispiam non ostenso titulo, investiturâ, seu commissione se de inofficiando intromiserit; **Decanus** eum admoneat, ut ab inofficiando desistat: quod si nec tunc quidem desistere curaverit, ipsum auctoritate nostrâ a divinis in scriptis suspendat sub hâc formâ:—

“Quia tu *N.* requisitus, ut titulum, seu commissionem tui beneficii ostenderes, aut ab inofficiando desisteres: requisitioni hujusmodi non paruisti; ideo auctoritate mihi concessâ te in his scriptis a divinis suspendo, vel suspensum denuncio. Datum &c.”

III. **Decanus** excessus notorios, vel præsertim illos, quibus ecclesia scandalizatur, quorumcunque infra suum **Decanatum** beneficiatorum, seu aliorum clericorum, infra unam quindenam a tempore suæ notiæ computando, nobis, vicario, officiali, vel fiscali nostro notificet, et conscribat; quod si negligens fuerit, penâ condignâ eum volumus mulctari. Sunt autem scandalosi excessus: furtum manifestum, vulneratio, mutilatio, homicidium, fornicatio scandalosa, vel adeò notoria, quæ nullâ possit tergiversatione celari. Item, si clericus literatoriè excommunicatus missas celebraret, vel in divinis ministraret, legendo epistolam, vel evangelium &c. Item, si clericus cujuscunque statûs post monitionem verbalem, seu scriptam, se tabernis, ludis, lupanaribus, aut quibuscunque aliis illicitis actibus, seu litigiosis, vel sibi per **Decanum** prohibitis, et his similibus immisceret.

IV. **Decanus**, aut camerarius bona clericorum sine fertone decedentium, vel defectum natalium patientium, nostrâ auctoritate statim arrestet, et defunctos tales mox vicario, vel fiscali nostro denunciât. Si vero defunctum fertonem habere contigerit, illum sine morâ vicario nostro transmittat.

V. **Decanus** beneficia per mortem, vel alias vacantia per personas idoneas cum scitu vicarii nostri provideri faciat, quousque per nos, vel vicarium nostrum aliter fuerit ordinatum.

VI. **Decanus** singulis annis vicario nostro notificet rectores, seu curatos ecclesiarum parochialium, qui in suis ecclesiis personalitèr non resident.

VII. Nullus **Decanus** ante suam confirmationem a nobis, vel vicario nostro obti-

nendam, ac priusquam juramentum suum nobis præstiterit, officium Decani exercere præsumat.

VIII. Primò jurabit, quòd mandata nostra, vicarii, et officialium nostrorum reverenter exequatur, ac nobis, et eisdem fidelis erit, quodque officium, ad quod electus est, diligentèr exercebit. Item quòd Statuta Synodalia, quotiens capitula ruralia celebrantur (saltem semel in anno) confratribus suis ad intellectum publicabit, ea quoque fidelitèr observabit, et ab aliis (quantum in eo est) observari faciat; dolo et fraude semotis. Ac insupèr excessus confratrum suorum (prout ad se spectant) corrigere; incorrigibiles vero pro eorum excessibus, pro quibus deferendi sunt, nobis, vel vicario, aut officiali nostris, deferre non tardabit, absque dolo, vel fraude.

IX. Decanus per se, vel per camerarium, vel unà cum camerario, ubi necesse fuerit, singulis annis tempore sibi magis commodo et convenienti, ad minus semèl singulas visitet ecclesias, vel capellas infra suum Decanatum constitutas, perquirendo diligenter, quomodo sacerdos parochialis cujuslibet ecclesiæ, et alii sacerdotes locorum, ad quæ declinaverit, se regant, tam in administratione sacramentorum, celebratione missarum, quam aliis, quæ ad officium suum spectant. Habendo etiam respectum diligentem, an eucharistia, sacrum oleum, baptismus, et alia sub debitâ custodiâ, vel in decenti reverentiâ servantur; vel si ante sacratissimum eucharistiæ sacramentum lumen, seu ampulla ardens teneatur. Et si aliquem defectum circa præmissa, vel circa alia repererit, conscribat, eundemque (pro suo posse) auctoritate nostrâ infra certum terminum, in debitum ordinem, statum et modum reducat. Et si forsân ecclesiarum procuratores, seu alii quicumque ipsum in præmissis impediverint, aut mandatis suis (quæ circa præmissa rationabiliter fecerit) non obtemperaverint, illos statim vicario nostro denunciât.

X. Decani, camerarii, vel jurati, si in suis capitulis, vel Decanatibus, aliquos sacerdotes, præcipuè curatos, ad celebrandum, vel curam animarum regendam minùs idoneos exploraverint, eosdem (etiamsi prius admissi essent, et examinati) a regendo, vel celebrando suspendant, ipsosque vicario nostro sine morâ denunciât; cum sæpè, quod ex parvi temporis examine non percipitur, ex diuturnâ postea conversatione apertius cognoscatur.

XI. Decani, et camerarii, in die Cœnæ Domini, sacerdotes mittant honestos et discretos ad ecclesiam nostram cathedralem, pro chrismate vel oleo sacro asportando. Qui quidem sic missi sint tales, ut sciant discernere, ubi chrisma, vel ubi oleum sit reponendum, vel quam cautè, vel reverentèr in ipsâ viâ (utpote in loco sacro) sint conservanda. Idem etiam Decani, vel camerarii, dum hujusmodi oleum, vel chrisma ipsis fuerit apportatum, provideant diligenter, ne per mulieres, aut laicos illa per

decanatum suum distribuenda transmittant, sed per sacerdotes providos et honestos, prout pœnam condignam voluerint evitare.

XII. *Decani*, camerarii, vel jurati diligentissimè respiciant ad monachos, vel fratres, atque moniales, vel alios clericos apostatas, et peregrinos, in *decanatibus* suis divagantes; et quorumcunque conversationem habuerint suspectam, illos, ut mox nostram diœcesim egrediantur, inducant, vel si opus sit, eis, ut exeant, mandent, atque præcipiant; quod si id facere distulerint, aut recusaverint, illos ad nos transmittant, condignam pœnam recepturos.

XIII. In *decanum*, camerarium, vel juratum nullus eligatur, nisi investitus, vel residentiam faciat personalem; vel si animo alibi residendi, se per unum mensem præter vicarii nostri licentiam absentaverit, lapso mensis spatio, *decanatu* privetur, camerariusque confratres capitulares convocet ad alium eligendum, quod si camerarius facere neglexerit, à divinis veniet suspendendus.

CC. *Germaniæ*, Tom. vi. p. 4—6.

SECT. III.—*Diocese of Brixen.*

INSTRUCTIONS FOR THE GOVERNMENT OF THE DIOCESE OF BRIKEN BY MEANS OF
Rural Deans and Chapters, UNDER CHRISTOPHER ANDREW, BISHOP OF BRIKEN,
A.D. MDCIII.

UT clerus, qui rure degit, commodiùs regi, et in officio contineri possit, universum in plura capitula descripsimus, unicuique tot parochias cum omnibus annexis ecclesiis, officiis, et beneficiis attribuentes, quot commodè regi poterunt, *capitulorum* autem nomina hæc sunt: Clusinense, Livinalis longi, Toblacense, Bruneeggianum, Sterzingense, Matranense, Ceniopontanum, Schwazense, Telfense, et Imbstense. Singulis capitulis singulos *decanos* præfecimus: *decanti* singulis singulos assistentes, camerarios, et confessarios adjunximus. *Decani* vitam, mores, et singulorum officia curabunt: camerarii mulctas, debita, collectas, fabricam, bona, et jura ecclesiarum: assistentes consilio, et auxilio *decanos* juvabunt: confessarius capituli sui clerum de peccatis confitentem, præsertim tempore congregationis audiet. His omnibus, sicut et toti clero vicarius noster generalis nostro loco, et nomine præsidebit: hic mandata nostra ad *decanos* deferet: *decanti* ad clerum: et vice versâ, quæ clerus nobiscum, aut vicario nostro tractare volet, id per *decanos* suos faciet: ita tamen, ut si cum *decanti* suis ille convenire non possit, vel aliàs suum illi officium non fecerint, uni-

cuique liberum sit, ad nostrum tribunal appellare. Præter hos reservamus nobis etiam archidiaconos, etiam pro locorum, et temporum ratione creari archidecanos, qui pluribus regionibus cum potestate pleniore præsent. Et decanum quidem, archidecanum, ac confessarii capitulorum pro nostro arbitrio constituentur, ac destituentur: reliqui officiales communibus suffragiis in pleno capitulo delecti, à nobis solum confirmationem accipient. Porro quam potestatem capitula, eorumque præfecti habeant, et quid ab unoquoque requiratur, id ex legibus, quas subjungimus, planum erit.

DE CAPITULIS RURALIBUS.

I. Ad capitula universus clerus conveniat; iis solum exceptis, quos impedimentum canonicum, aut præsens ecclesiæ necessitas (de quibus cognoscet capitulum) venire non permittit: quare tales loco suo excusatores, aut literas mittere oportebit. Pœna negligentium pro primâ vice erit una libra, pro secundâ tres, et sic crescente negligentia, et contumaciâ, semper crescat et mulcta.

II. Capitula ruralia singulis semestribus celebrentur, die aliquo profesto, qui ad conveniendum sine detrimento ecclesiarum, omnibus commodus judicabitur; nempe feriâ quartâ post dominicam in albis; et iterum, quandò alias ad sacra anniversaria serenissimæ domûs Austriacæ, omnes convenire oportet; vel alio denique tempore magis opportuno, quod decanus tempestivè nominabit.

III. Non fiant in hospitiiis, aut cauponis publicis congregationes, sed vel in ecclesiâ parochiali, vel in domo canonicâ: nec semper in uno, eodemque in loco, sed in diversis, nempe apud singulas parochias per orbem; vel ubi magis commodum videbitur. Sumptus convivii faciet parochus, apud quem conventus agetur; aut pro se quisque solvet. Moderatum verò, et honestum prandium esse oportebit, a quo omnis ebrietas, levitas, rixa, immodestia procul exulet. Qui contra fecerint, pro arbitrio nostro punientur; maximè vero decanum, et parochi, apud quos alii deliquerint.

IV. Pridie capituli omnes confessario capitulari, vel alteri, sacramentalem confessionem faciant: et sequenti die pro fratribus defunctis, et simul benefactoribus, sacrum missæ officium offerant. Unus, vel alter deligatur, qui celebrantium ritus observet, ac postea de defectibus singulos moneat, ac instruat.

V. Missa quoque conventualis pro mortuis, vel de Spiritu Sancto solennitèr cantetur: quâ finitâ circa horam octavam, omnes et singuli superpelliciiis induti, ex templo processionalitèr locum capituli ingressi, in suo quisque loco (quem singulis in primo post hanc synodum conventu, secundum antiquitatem officii sui, ita tamen, ut parochi curatos; hi semper alios sacerdotes, et sacerdotes alios, qui tales non sunt, antecedant, capitulum assignabit) consideat: tum ad omnes decanus, vel alius

ab eo maturè constitutus, brevem sermonem habeat, de officiis, et virtutibus sacerdotum, de curâ, et zelo animarum, vel aliis, quæ tempori magis convenire videbuntur.

vi. His peractis. 1. Legentur statuta nostra synodalia, vel omnia, vel media eorum pars. 2. An, et quomodo illa, vel alia visitorum, et nostra mandata servantur, omnes et singulos præsidentes decanî per ordinem interrogabunt. 3. De horis canonicis, an, et quomodo recitentur, quas ob causas omittantur. 4. De sacramentorum administratione. 5. An fundatorum voluntatibus singuli satisficiant. 6. An parochi tot, ac tales sacerdotes alant, quot, et quales debent. 7. An singuli confiteantur sacramentalitèr, quotiès deberent, ejusque testimonia petantur. 8. An catechismum doceant, et quomodo. 9. Quam familiam quisque habeat, et præsertim de fœminis. 10. De vitâ, habitu, et honestate cleri, ac populi, de litibus, gravaminibus, injuriis, scandalis, et his similibus tractandum erit. 11. Negligentes denique, et defectuosi pro qualitate criminis mulcentur.

vii. Ante omnia verò hoc diligentissimè observetur, ut ab oratione quæque congregatio inchoetur, et simul terminetur. Omne namque bonum a patre luminum descendit. Quare ubi ad locum convenerint, omnes alternatim et flexis genibus hymnum: *Veni Creator Spiritus*, recitabunt. Collectam de Spiritu Sancto subjunget decanus. Omnibus finitis, similiter quisque semel Pater, et Ave, secum devotè dicet: decanus denique clarâ voce orationem de tempore subiciat.

viii. Decanî interdum uno mense ante congregationem, clero suo exhibeant duos vel tres casus conscientiæ, in congregatione excutiendos et decidendos.

ix. Capitula ruralia potestatem definiendi non habent, sed tantum inquirendi, referendi, exequendi, quæ illis mandata fuerint, ac puniendi. Nihilque omninò faciant, quod eis, vel eorum decanîs, in his synodalibus decretis, vel alias expressè permissum non fuerit.

x. Sigillum proprium singula habeant, et carcerem: sed carcere non utantur ipsi, vel ipsorum decanî, nisi in quatuor casibus. 1. Cum scandalum ebrietate, fornicatione, blasphemiâ, vel aliis peccatis publicis, a clero populo dabitur. 2. Quando officium suum non faciunt clerici, et quæ his statutis cuique præscripta fuere, publicè negliguntur; et alia pœna non fuit opposita. 3. In clausis rixarum, pugnarum, æris alieni, debitorum. 4. Cum eis a generali-vicario nostro injunctum fuerit.

xi. Matricula habeatur, in quâ omnium sacerdotum nomina inscribantur, officia, patria, diœcesis, mors et tempus ingressûs in capitulum, vel in hanc diœcesin. Ex hæc mortui vivis commendentur tempore congregationis.

xii. Acta capitulorum singulorum præsertim majoris momenti in librum peculiarem

referantur, cum querelis et difficultatibus propositis, ut vicario nostro facile, quid actum fuerit, constet.

XIII. Præter ruralia capitula et particularia, generale semel quoque in anno in urbe nostrâ Brixinensi, vel ubi nobis commodiùs videbitur, cogatur; semper a dominicâ post octavam Corporis Christi feriâ tertiâ: ad quod soli archidiaconi, et decani cum singulis sociis (si quos eis capitula adjungere voluerint) convenient. Omnibus præsidebit vicarius-generalis. Si tamen casus incideret, qui præsentiam tantæ congregationis exposceret, non ægrè ferent, si a vicario nostro sæpius convocati fuerint.

XIV. In his congregationibus generalibus singuli referent statum suæ regionis, necessitates, difficultates, lites. Deindè plurium suffragiis (quæ decisiva esse volumus, non solùm consultiva) quæ ad bonum diocesis statum pertinent, definiantur: quorum definitionibus, modo ab ordinario approbatæ fuerint, reliqui omnes parere tenebuntur.

DE DECANIS RURALIBUS.

I. Hos viros prudentes, magnæ doctrinæ, et vitæ probatæ, ac multæ experientiæ esse oportet: sunt enim pastores pastorum quodammodo et ipsi: et alios exemplo, consilio, verbo, ope juvare debent.

II. Ut alii pastores in suis ecclesiis, ita decani in suâ regione, ad personalem residentiam compellantur.

III. Chrisma sacrum, aliaque olea sacra, quibus utitur ecclesia, quotannis ex ecclesiâ cathedrali accipiant: ex eo tradat deinceps quisque suis curatis, quantum satis erit: pro traditione nihil omninò accipiant, præter sumptus ejus causâ necessariò factos.

IV. Semèl ad minimum quotannis omnes ecclesias suæ regionis obeant, una cum camerariis: non omnes quidem simul, sed modo hanc, modo illam, prout occasio se obtulerit. Victum frugalem præbunt parochi. Idem fiat, cum alias, officii tamen sui causâ, per regiones suas excurrent. Tum enim præter victum a parochis vel ecclesiis, ne sponte quidem oblatum, quicquam accipere licebit.

V. Ecclesias, sacristias, vasa, vestes, ornamenta, cœmeteria, sepulturas, prædia, totamque familiam parochi, et aliorum clericorum, cum omni diligentia inspiciant; quid in eis desit vel desideretur, accuratè considerent. Dispiciant etiam decani in visitatione suâ, an clerus officium suum faciat; an vera sint, quæ quisque in capitulo de observatione decretorum nostrorum, et aliis, de se ipso deposuit, oculis inspiciant: in singulis parochiis, a viris ætate, usu, et probitate commendatis de omnibus subtilitè inquirent, quæ eos pro officii sui munere scire oportebit: videant, an in populo

sint hæretici, concubinariï, alii flagitiosi, qui quadragesimam, aliaque jejunia, festos dies non servant, et his similia. Quæ ipsi poterunt, statim corrigant: cætera ad nos referant.

VI. Mandata nostra, et vicarii nostri generalis cum debitâ reverentiâ excipiant: ad eorum notitiâ, quorum intererit, deducant. Quæ ipsis superiores mandaverint, debitè exequantur: quæ vero ipsi suo, vel superiorum nomine jusserint, an et quomodo executioni mandentur, sæpe videant.

VII. Vitam, mores, habitum, conversationem, suspensiones rationabiles de clericis intra fines suos inspiciant; extrajudicialitè cognoscant, emendare contendant: majora ad nostram cognitionem referant. Quæ autem in hoc genere fecerint, et curarint, ea scripto comprehendant, ut suo tempore rationem reddere administrationis suæ valeant.

VIII. Cum aliquis ex curatis suæ regionis ægrotare cœperit, eum invisant: si gravius habuerit, curent diligentius, ut necessaria tam spiritualia, quam temporalia illi suppedientur. Si obierit, rerum relictarum inventarium conficiant, et omnium quæcunque in vitâ possederat, curam diligentem habeant. Ne autem cura animarum detrimentum patiatur, vicarium idoneum interea substituant, qui etiam post mortem vices defuncti gerat, donec de alio provisum fuerit. Semper autem de substituto, ejusque qualitatibus informetur vicarius-generalis. Idem de aliis sacerdotibus suo modo intelligatur.

IX. Nullos sacerdotes in suo districtu ministrare permittant, qui ipsis a parochis præsentati non fuerint, et literas admissionis a vicario nostro; et simul dimissionis a parocho, aut episcopo, ex cujus diœcesi discesserunt, non ostenderint. A religiosis, quas a superioribus suis attulerint, literæ requirantur.

X. Singulis annis nobis, aut vicario nostro de illis, quæ in cujusque decanatu gesta sunt, rationem reddant, cum videlicet ad generale capitulum convenerint.

XI. Sacerdotes omnes, reliquique ex clero, decanis suis morem gerant: ad capitulum vocati, conveniant: si legitimè impediuntur, excusatores mittant: visitantibus decanis operam suam præsentent: ad interrogata bonâ fide respondeant; aliàs poenam arbitriariam subibunt: correptiones, admonitiones, et mandata eorum reverentè excipiant: ab iisdem, vel a camerariis moniti æs alienum dissolvant. Inobedientes, si qui fuerint, gravitèr a nobis punientur.

XII. Decanus quilibet, antequàm officio suo fungi cœperit, professionem fidei coram notario et testibus, juxta formulam Pii Quarti, in manibus vicarii nostri generalis faciat. Et deindè fidelitatem stipulatâ manu, aut juramento promittat.

CC. Germaniæ, Tom. VIII. p. 559—563.

SECT. IV. 1.—Diocese of Cologne.

ARTICLES OF INQUIRY FOR THE RURAL DEANTRIES OF THE DIOCESE OF COLOGNE,
BY ADOLPHUS ARCHBISHOP OF COLOGNE, A.D. MDL.

QUÆ à decanis ruralibus, de rectoribus parochialium ecclesiarum sub suis decanatis, sive in oppidis, sive villis, aut pagis commorantibus: similiter ab ipsis rectoribus de vitâ, conversatione, doctrinâ, et ministerio suorum confratrum, et ecclesiarum statu, inquiri debeant.

AN decani Christianitatum * suis Christianitatibus diligenter superintendant.

An synodis episcopalibus intersint, illicque referant et exponant suæ decaniæ statum, et decreta synodalia publicent, et exequantur. Et an sollicitè invigilent, ut, si quid adversus fidem, pietatemque emergat, reverendissimo domino nostro archiepiscopo, et archidiacono suo signifient.

An decani, et qui sub eis sunt, curati omnium ecclesiarum hoc sinceriter credant, profiteantur, et semper retinere velint, quod Romana, Catholica, et Apostolica tenet Ecclesia, præsertim in articulis hæc tempestate controversis.

An sciant omnes, et velint populum non coactè, sed spontaneè docere: et an verbum Dei singuli pro populi captu prædicent: et an orthodoxam doctrinam tradant: et an ædificent, vel corrumpant gregem.

An sint inter eos lupi, qui gregem invadant, et per novas et peregrinas doctrinas, seu per dulces sermones corrumpant, atque à veritate abducant oves, pro quibus mortuus est Christus: et num deliteat in aliquâ parochiâ hæreticus, aut schismaticus ullus: num hæresis aliqua, vel nova dogmata occultis conventiculis, disseminentur. Et an sint, qui curiosius de fide disputent, et simplicibus injiciant scrupulos.

An sint aliqui in parochias, manu sæculari, sine canonicâ institutione, seu ordinatione, intrusi.

Ex an aliqui, quibus est pleno jure provisum, se intromittant de ecclesiis sine prævio examine episcopali, vel archidiaconali.

* The *Deans rural* appear to have been disobedient to the archbishop's mandates, and guilty of other breaches of discipline in the following year; on which account we find a special decree of the synod of Cologne against them—entitled, *Decretum sacre synodi contra inobedientes quosdam decanos rurales*. It is not, however, of importance sufficient to merit re-publication.—See *CC. Germania*, Tom. vi. p. 800.

An ignotos, aut vagos sacerdotes, et exititios, seu fugitivos: aut effrenes, et extra obedientiam constitutos monachos, absque prælatorum suorum testimoniis, seu formatis, admittant. Seu, quod pejus est, an suspectos de fide, aut flagitiosos sacerdotes, aut monachos, per quos populus eis creditus, seduci aut corrumpi facilius, quam doceri potest, ministeriis adhibeant.

An ipsi curati instruant et doceant populum de his, quæ ad fidem et religionem nostram pertinent; ut norint, quid credere, et quo modo conversari, ac vivere in sua quisque vocatione debeat.

An sint inter eos segnes, aut cæci speculatores, et velut canes muti, non valentes latrare, qui non audeant populo annunciare peccata eorum, et incorrigibiles deferre ad eorum superiores.

An rudes et parvulos suæ parochiæ certis temporibus instruant et doceant Symbolum, Precationem Dominicam, Salutationem Angelicam, seu Decalogi Præcepta, aut saltem habeant aliquem idoneum Catholicum virum, per quem hoc præsent.

An Evangelium et Sacras Scripturas sinceriter tractent et doceant, juxta Homilias, sensum, et interpretationem Sanctorum, et orthodoxorum Patrum.

An aliquid prophanum, incertum, fabulosum, suspectum, vel inconstans, vel quicquam quod non tota probat ecclesia, et à majoribus acceptum non est, adferant. An quæstiones difficiles et perplexas moveant, contendant, vel rixentur in suggestis: et num ea adducant, quæ ad populi ædificationem nihil faciunt.

An in suggestis calumnientur, seu scommata et dicteria in quosvis janciant, et incompotis moribus gesticulentur, plebem concitantes in clerum, vel magistratum.

An simul doceant misericordiam et justitiam Dei: ut pœnitentes ad benè sperandum inflamment, et malos a peccatis deterreant. Non blandientes et decipientes populum perversum, dicentes: Pax, pax; et non est pax. Et proinde, an Decalogi Præcepta populo frequenter inculcent, atque explicant.

An confirment populum in Catholicæ fidei doctrinâ: et an sic edoceant plebem, ut suppullantes zizanas sciant evitare. Item, an populum admoneant, ut diebus Dominicis et festis ad divina, quæ in ecclesiis celebrantur, conveniant, concionem sub silentio, et attentè audiant, et memoriæ commendent, nec strepitu, vel deambulatione perturbent: et, ut audita, secum domum perferant, et liberos, et familiam instruant ad pietatem: nempe Deum timere, et salutem suam ei commendare: memoriâ retinere, et frequentèr recitare Symbolum Apostolicum, Orationem Dominicam, Salutationem Angelicam, Præcepta Decalogi, et quicquid ad virtutem, bonosque mores pertinet: obedire suis superioribus, solvere decimas, et alia debita tam ecclesiasticis, quam sæcularibus.

An sacramenta secundum ritum ecclesiæ Catholicæ, et secundum agendam ecclesiasticam, adhibitis omnibus ecclesiasticis cæremoniis et piis ritibus, in ecclesiâ catholicâ hactenus observari consuetis, administrent.

An instruant populum de sacramentis, et eorum gratiâ, et mysteriis; ut eis secundum ecclesiæ traditionem, ad salutem suam religiosè utatur: præsertim, ut missæ officio libenter intersit, et votis ecclesiæ vota sua conjungat: quodque unâ cum sacerdote mortem Christi Dño Patri pro peccatis suis offerat, et frequenti confessione se expurget: ut se sæpius corde mundo et avido ad excipiendum salutarem Corporis Christi cibum paret: ut diebus festis tantum sanctis incumbat operibus.

An doceant populum in sacramentorum administratione, frequenter etiam in concionibus, quandò locus incidit, quid in sacramenti cujusque collatione agatur: quis sit ejus fructus: quid velint signa externa, et quomodo Dei virtus præsens invisibiliter eis adsit: quomodo etiam dignè vel indignè percipiantur.

An circa administrationem baptismi, et alias in concionibus de suggesto doceant populum, cur aqua baptismalis benedicatur et consecratur: cur baptizandus abrenunciet diabolo per susceptores: cur exorcizetur et exuffletur contraria potestas: cur signum crucis baptizando toties imprimatur: cur sal benedictum detur, et aures ei aperiantur: cur in pectore, et in scapulis, et in vertice capitis inungatur: cur induatur veste candidâ: cur præferatur ei cereus ardens ad altare, et cur illic accipiat de ablutione, seu vino benedicto.

An animadvertant, quod susceptores, sive patrini, sint provectæ ætatis, in fide catholicâ bene instructi, ad interrogata cum intellectu et seriò respondentes, et tales, qui parvulos, ubi adoleverint, in fide orthodoxâ, si necesse fuerit, instruere possint.

An etiam baptizent parvulos ante prandium, et missam diei, cui susceptores cum puero et amicis interesse deberent, et pro parvulo offerre secundum veteris ecclesiæ ritum.

An sit aliquis inter curatores ecclesiarum, qui ausus fuerit canonem missæ omittere, vel mutare: et an ab omnibus religiosè pronuncietur.

An etiam singulis diebus dominicis et festis, evangelium diei sub, vel intra missam, linguâ vernaculâ populo de suggesto exponant.

An etiam caveant, ne concionis tempore ulla missa celebretur, quâ populus ab auscultatione verbi distrahatur.

An curent symbolum totum cani, præfationem itidem, et Orationem Dominicam.

Similiter an curent, ut imaguncula crucifixi Domini, pacificatoris omnium, ab ore sacerdotis, pacem populo imprecantis, ad adstantes deferatur, inosculanda ab omnibus, in concordie et pacis symbolum.

An doceant populum de missæ mysteriis, atque etiam moneant, ut ad finem usque, donec benedictionem sacerdotalem acceperint, perseveret, spiritualiter saltem cum sacerdote communicando, cum desiderio fructûs sacramenti, et unionis cum Christo.

An doceant criminibus ligatos, priusquam absolvantur, et veræ emendationis propositum sumant, ab horum mysteriorum perceptione abstinere.

An palam criminosos, et qui peccati certissimam occasionem dimittere nolunt, a communione abarceant.

An lectiones sacras et orationes, excepto canone in missâ, clarè pronuncient, ut possint a circumstantibus, qui latinè intelligunt, audiri et intelligi.

An Eucharistiam in loco honorato servent cum perpetuo lumine.

An quando ad infirmos Eucharistiam deferunt, faciant præferri lumen et campanellam, ad dandum fidelibus signum.

An doceant plebem orare pro defunctis, ut a peccatis solvantur.

An curent etiam, quando in solemnibus festivitâtibus circumferenda est Hostia illa salutaris; quod tum omnes ludi prophani, et quicquid non valet ad veram devotionem excitandam, removeatur: imprimis, quod non pulsantur tympana, absint risus, joci, confabulationes: populus autem oret. Et quod unius tantum sancti, non plures, quam una imago circumferatur: nec vagando per agros discurrant, præsertim rogationum tempore.

An sint aliqui ex curatis, qui sustineant in suis parochiis aliquem, qui non in anno saltem semel peccata sua confiteatur, et venerabile sacramentum Eucharistiæ, secundum C. *Omnis utriusque sexus. De pœnitentiis et remission.*umat. Et si quis talis fuerit repertus, an etiam talem ab ingressu ecclesiæ abarceant, et ecclesiasticâ sepulturâ privent.

An etiam sint circumspecti in audiendis confessionibus, ut qui norint distinguere lepram a non leprâ: et ita de peccatis inquirere, ne scandalizent pusillos: et an satisfactiones injungant medicinales: an arguant publica peccata publicè, et occultè delinquentes in privatâ confessione.

An excommunicatos secundum canones sacros vitent, et ab omnibus vitari faciant, et eos a nemine recipi in consortium vel familiaritatem procurent.

An sciant, quomodo instantibus quatuor temporibus, trinâ proclamatione denunciare debeant populo clericos ejusdem parochiæ, qui velint ad sacros ordines promoveri, ad percipienda impedimenta, si quæ sint.

An sacramentum unctionis extremæ cum Orationibus et Litaniis, juxta agendum ecclesiæ, ægrotis impertiant: et an sint ex eorum parochianis, qui illud sacramentum

contemnunt: et an sciant, infirmos ex scripturis consolari, et a curis sæcularibus ad spem salutis æternæ erigere.

An habeant redeuntes ab ægroto adhortatiunculam ad comitantem multitudinem, qua infirmitatis humanæ, et, ut pro laborante in extremis studeant ferventius orare, admoneantur.

An doceant matrimonio conjungi affectantes, qua religione et fide in Christo conjungi debeant. Et an tolerant clandestina matrimonia: et an doceant copulandos, quod non jungantur, nisi de parentum et amicorum consilio.

An præmittant proclamationes, ad minimum tres, tribus diebus festis, per intervallum sibi succedentibus.

An norint, quæ sint impedimenta, quæ prohibent contrahendum, et quæ dirimunt jam contractum matrimonium.

Et an sciant numerare quatuor gradus consanguinitatis, quatuor itidem gradus affinitatis: intra quos prohibitio conjunctionis conjugalis concluditur.

Et an sciant, quo se porrigat impedimentum cognationis spiritualis.

An etiam clandestinè contrahentibus, tantispèr sacramenta negentur, donec ab excommunicatione absolvantur, atque ita in facie ecclesiæ sacramenti solemniam celebrent.

An etiam diligentè attendant ad incolas et advenas, de quibus est suspicio, quod in facie ecclesiæ non sint conjuncti; ut tales solemnes ritus in ecclesiâ celebrent: aut alibi id fecisse se, idoneis testibus probent.

An etiam, quantum in eis est, admonendo curent, ut quando ad ecclesiam matrimonialis conjunctionis gratiâ convenitur, et quando, qui junguntur, benedictioni sacerdotali se submittant, ut tum absit omnes levitas et jocus sæcularis, utque tum magis cogitent jungendi, quale sit vinculum, quo colligantur, et quod Deus eos conjungat.

An sint inter eos, qui alibi, quam in ecclesiâ, publicè post missam auditam, seu alio tempore, quam a jure permissio, et non interdicto, conjungendos matrimonio copulent.

An sint in eorum parochiis, qui exequias, aut justa pro parentibus, liberis, cognatis, et amicis persolvere recusent: non alitèr, quam si cum corporibus simul et animæ extinguerentur.

An doceant viros in ecclesiâ orare nudato, fœminas velato capite.

An doceant populum, in omnibus terroribus et periculis inclamare nomen Christi, et signare se signo Sanctæ Crucis, qua diabolus devictus est.

An doceant populum, cur aqua et sal, palmæ et herbæ, et fructus novi benedicantur: et cur populus aspergatur aquâ benedictâ, et sumat sal exorcizatum.

Item, cur accendantur in ecclesiâ cerei, thus adoleatur, processiones agantur, ecclesia, altaria, calices, vestes sacerdotales, campanæ, aliaque ecclesiæ vasa consecrentur: an doceant populum, ne cæremonias in superstitionem vertant, sed illis religiosè utantur.

An vitam ducant suâ appellatione dignam, videlicet talem, ut eorum comparatione cæteri merito grex dicantur. An verbo moneant, et præcedant exemplo, castigando corpus suum, et in servitutem redigendo, secundum apostoli doctrinam; ne ubi aliis prædicaverint salubritèr, eosque ad pietatem adduxerint, ipsi servi sint ventris et peccati, et reprobi efficiantur.

An horas suas canonicas, ad quas majoribus ordinum gradibus initiati obligantur, ritè persolvant: et an in lectione et studio sacræ scripturæ se contineant: et quibus libris et authoribus præter Biblia utantur, et qualia Biblia habeant.

An in habitu et tonsurâ clericali incedant. An servant decorem in habitu et incessu. An habitus eorum sit honestus, non scissurtis, vel limbis comptus.

An superior vestis sit talaris. An gladiis vadant accincti.

An omnes irreprehensibiles sint, et bonum testimonium habeant ab his, quibus ministrant. An sit inter eos impudicus, incontinens, immodestus, contentiosus, iracundus, percussor, vinolentus, ebriosus, aut turpis lucri cupidus.

An vacent comensationibus et ebrietatibus, et studio compotandi, præsertim in exequiis, calendis, et anniversariis.

An sit adhuc aliquis inter eos, qui concubinæ adhæreat, aut personæ de incontinentiâ suspectæ: et qualis sit reliqua illorum familia.

An sint aliqui rectores ecclesiarum, qui in propriis personis non resideant, et quales illæ habeant vicecuratos: et an tales vicecurati sint per archidiaconum examinati et admissi. Et an tales vicecurati habeant competentiam, et taliter constitutam, ut non cogantur servilibus et sordidis negotiis se dedere.

An sint aliqui ex curatis, vel vicecuratis, usurarii, negotiatores, vel caupones, aut sortilegiis, divinationibus, aut venationibus indulgentes.

An sint in parochiis oratoriæ constituta.

Et qui sint, qui jus patronatûs, seu præsentandi personas idoneas ad hujusmodi oratoria, seu alia ecclesiastica beneficia habent.

An eo jure secundum foundationes ejusmodi beneficiorum legitime utantur. Et num sint, qui hujusmodi beneficia, quod in eis est, supprimant vel extinguant.

An eorum redditus, ac res et bona illorum occupent, vel distrahant.

An in eorum parochiis aliqua sint hospitalia pauperum constituta. Et an magistri hospitalium benè præsent, et rationem singulis annis reddant. Ut infra latius in formâ de hospitalibus.

An in eorum parochiis jejunia, abstinentia a carnibus, dies festi, præsertim in proximâ synodo publicati et declarati, processiones Dominicales, et ritus ecclesiastici ritè observentur.

An sub eorum parochiis vigeant superstitiones, maleficia, blasphemix, sacrilegia, publica perjuria, adulteria, stupra, incestus, odia, insidiæ, rebelliones, usura, et contemptus ecclesiasticæ jurisdictionis.

An prædia, census, et jura ecclesiarum conserventur. An campanarii, seu custodes ecclesiarum sibi concredita ritè administrent, ac custodiant.

An eosdem etiam admoneant, ut depositis barbis, in ecclesiâ in superpelliceis ministrent.

An populus oblationes altaris, saltem in quatuor festis principalibus, ad altare Domini deferant, aliaque jura parochialia, secundum morem, ab ecclesiâ Catholicâ olim receptum, præsent.

An provisores parochialium ecclesiarum præsumant, pro suo arbitratu de rebus ecclesiarum ordinare, vel disponere, absque consensu sui plebani. Et num illi rationem bis in anno reddere recusent.

An sint apud illos monachi, seu moniales apostatæ, qui falsis conjugibus adhæreant, vel qui habitum religionis abjecerint.

An sint, qui contemnendo auctoritatem ecclesiæ, rumpendo vinculum pacis, contra mentem Cæsareæ majestatis (quæ sub catholicis principibus nullam novationem veteris religionis permittendam esse mandavit) sub utrâque specie, more schismatico, petentes communicent.

An caveant, ut sacerdotes, ab hæreticis revertentes, non statim se ministeriis ingerant; priusquam sint absoluti, ecclesiæ reconciliati, et contra irregularitatem incursam restituti.

An sint apud illos apostatæ monachi, qui sub prætextu dispensationum apostolicarum, vota, religionisque suæ instituta, deseruerunt, contententes, se intrudere ministeriis, antequam dispensationes eorum sint ritè examinatæ et admixtæ, juxta decreta provincialia.

An populus in eorum parochiis præstet se eis morigerum. An sint in populo, qui habeant libros contagiosos, aut qui cum Deo, sanctis, et sacris jocentur.

An è suggestis publicent, libros à Lutheranis, hæreticis, in decretis provincialibus (sub rubricâ: *Qui libri parochis et concionatoribus sint vitandi, et fugiendi*) nominatis, eorumque similibus editos, tam sæcularibus, quam ecclesiasticis tanquam pestem esse vitandos.

An admoneant suas communitates rusticas, ut a circumambulatione cæmeteriorum,

sub concione et divinis abstineant, sub poenâ denegandæ absolutionis et communionis.

An pateant œnopolia et tabernæ diebus festis ante sacrum, in ecclesiâ peractum.

Et an tales transgressores deferant ad magistratum.

An sæcularis magistratus jurisdictionem et libertatem, immunitatemque ecclesiasticam impediant seu perturbent.

Et an iudices sæculares de beneficialibus, matrimonialibus, decimarum, et aliis causis spiritualibus, seu de correctione ecclesiasticarum personarum, se intromittant.

An in eorum parochiis admittantur ludi-magistri, ad instituendam juventutem, quorum fides, mores, et institutio non sint explorata, etc. etc. etc.

CC. Germaniæ, Tom. vi. p. 634—638.

SECT. IV. 2.—*Diocese of Cologne.*

THE OFFICE OF *Deans Rural* IN THE DIOCESE OF COLOGNE, BY MAXIMILIAN HENRY, ARCHBISHOP OF COLOGNE, A.D. MDCLXII.

I. UT *Decanos rurales* propriè pertinet, *capitula* pastorum, et vice-pastorum quotannis, ante pentecosten, loco consueto, cum pastoribus regiuncularum suarum celebrare, atque in illis post missam, per eos de Spiritu Sancto decantatam, constitutiones apostolicas, provincialia, ac synodalia, et deinceps hæc nostra decreta, ac statuta; præsertim verò, quæ parochorum, et curatorum vitam, mores, ac munus tangunt, prælegere, aut prælegenda curare, et quemlibet ad eorum observantiam sedulò adhortari, difficultatibus pastorum piâ consolatione, et adjutorio mederi, et si quid dissidii inter illos ortum fuerit, benevolè sopire, quosve muneri suo deesse cognoscunt, nobis, archidiacono loci, aut fiscalibus deferre, ut pro ratione defectûs opportuna in negligentes remedia decernantur.

II. Hæc ipsa porro *capitula* sic instituantur, ut non ad comessionem, et compositionem, sed ad tractandum de rebus ecclesiasticis, ad spiritualibus indicta esse appareat: prandia, si quæ fiant, non in tabernis, aut diversoriis publicis, sed apud loci pastorem, seclusis exteris, et sæcularibus, instituantur frugaliter et moderata, ut neque crapulæ sit locus, neque excessivis sumptibus, aut scandalo: ad necessarias autem capitulorum hujusmodi expensas pastores, et vice-pastores absentes (etiâ si legitime fuerint excusati) sequè ac præsentibus concurrant, ac contribuant conformiter ordinationi prædecessoris nostri HERMANNI IV. archiepiscopi.

III. Quæ de sacri chrismatîs, sanctorumque oleorum deportatione, distributione, et conservatione ordinata sunt, ea à decanîs ruralibus volumus quam exactissimè observari: et cum decanorum ruralium quoad curam animarum eadem sit, et potior quidem, conditio, quæ pastorum, utpote qui non solum sæcularium sibi commissorum, sed etiam parochorum sui districtûs, censentur esse pastores et curati; idè ipsi continuò in suis pastoratibus, vel saltem, exigente id ratione muneris, intra decanatum suorum limites residere personaliter debent, sub pœnâ tum privationis officii decanalis, tum aliâ graviori arbitrio nostro infligendâ.

IV. Ordinamus paritèr, ut de singulorum sibi creditorum salute solliciti, sicubi aliquem è suæ regiunculæ, seu decanatus pastoribus, sacerdotibus, aut beneficiatis periculose laborare intellexerint, ad eum sine morâ se conferant, moneantque, ut salutî suæ consulens, ad sacramenta ecclesiæ recipienda se disponat; dein adhortentur, ut testamentum legitimè condât, si id non fecerit priùs, atque ad felicem, salutareque ex hâc vitâ egressum, piis ad Deum suspiriis, ac orationibus, se componat.

V. Quod si parochum quempiam, aut curatum decedere contigerit, cujusvis etiam ordinis, aut instituti regularis sit, curent mox omnium ab ipso relictorum indicem, seu inventarium confici, ut invasionibus, ex expilationibus non fiant obnoxia, atque ex iis possit, tum piis legatis, tum creditoribus aliis, ipsique ecclesiæ parochiali, fabricæ, aut mensæ pauperum satisfieri. Quidquid ad parochiam ipsam, ecclesiam, fabricam, aut archivium pertinens, inventum fuerit, separetur, et suis quæque locis, aut personis consignentur. Denique et curam gerant decanî rurales, ut coram sigillifero nostro majori testamenta defunctorum pastorum, vice-pastorum, et beneficia in ecclesiis parochialibus habentium, et hæreditatum per eos relictarum, computus, et rationes per executores exhibeantur.

VI. Summo studio advigilent, tam archidiaconi, quam decanî rurales, ne quis sacerdos sæcularis, aut regularis, etiam quomodolibet exemptus, in beneficium aliquod parochiale, seu curatum, vel exercitium curæ animarum, quocunque etiam colore, vel titulo sese intrudat, absque prævio examine, et legitimâ approbatione: aliter autem, et sine examine, et legitimâ approbatione admissi, instituti, aut investiti, noverint se à pastoralî curâ, quam non legitimè subierunt, ipso facto suspensos esse, et si quos eo nomine fructus perceperint, restituendos ecclesiæ, à quâ provenerunt; utque re ipsâ restituant, autoritate nostrâ, adhibito etiam, si opus fuerit, brachio sæculari compellendos, aliâque insuper pœnâ, pro culpæ modo, puniendos esse.

VII. Quòd si quis eo temeritatis processerit, ut sine omni prorsus examine, approbatione, licentiâ, institutione, ac titulo in curam animarum se ingesserit, nobis, aut

officiali nostro denuntietur, ut tanquam indignus privilegiis clericalis ordinis, sæculari magistratui puniendus tradatur. Eadem quoque curâ advertant *decani rurales*, ne quis vagus, aut peregrinus, vel alias ignotus clericus, aut sacerdos, etiam regularis, absque literis testimonialibus sui ordinis à nobis visis, et probatis, vel sine nostrâ licentiâ, ad divina celebranda, vel administranda sacramenta, aut ad prædicandum Dei verbum admittatur, et ut pastores ac vice-pastores ejusmodi literas, ac licentiam ante admissionem exigant.

VIII. Cum otium non sit aliud, nisi hominis vivi sepultura, et vitiorum plurimorum lerna, *decani rurales* opportunè, et importunè singulos regiunculæ suæ pastores, et reliquos ecclesiasticos moneant, ut illud devitent, et execrentur; singulis, vel saltem alternis diebus missam celebrent, singulis item Dominicis, et festis vespere decantent, sedulò se etiam studiis, lectioni sacræ paginæ, piorumque librorum applicent.

IX. Ut autem *decani rurales* cujusque pastoris, et vice-pastoris vitam, mores, genium, et occupationes meliùs cognoscant, ab iis, dum visitant, seriò rationem distributionis temporis exigant, inquirantque, quibus se studiis occupent, an, et quos libros spirituales legant, an singulis diebus, aut quoties in septimanâ, an ex obligatione, aut pietate celebrent, an singulis diebus aliquid temporis orationi mentali, qua velut coelesti cibo spiritus reficitur, impendant, an conscientiam suam quotidie statuto tempore examinent.

X. Sicubi vero aliquos invenerint, quorum corporis constitutio non permittit, ut continuò studiis vacent, adhortentur illos, ut sæpiùs parochias suas obeant, sanos, et ægros, etiam non vocati, piis discursibus foveant, obvios pueros circa res catecheticas examinent, et ignorantes instruant.

XI. Denique, *decani rurales* de pastorum, et vice-pastorum sui districtûs salute, ac profectu spirituali solliciti, diligenter eorum vitæ, morum, et doctrinæ curam gerant; ideoque præter visitationes ordinarias, datâ occasione sæpiùs etiam per annum parochias sui districtûs inspiciant, et præcipuè indagent, an pastores, seu vice-pastores apud oves suas resideant, piè, laudatèque vivant, suo, ut decet, fungantur munere; præsertim Dominicis et festis diebus sacrum canant, concionentur, catechesi juventutem imbuant, et ecclesiastica sacramenta, quâcunque diei, ac noctis horâ requirantur, piè, promptèque administrent.

CC. *Germaniæ*, Tom. IX. p. 1027—29.

SECT. V. 1.—Diocese of Constance.

RUBRIC * ON THE OFFICE OF *Dean Rural* IN THE DIOCESE OF CONSTANCE,
BY BISHOP BURCHARD, A.D. MCCCCLXIII.

STATUIMUS, ut quilibet *Decanus*, seu vices horum tenens, singulis annis ad minus bis, scilicet in quibuslibet sex mensibus semel in presentia confratrum suorum in loco capitulari congregatorum de omnibus beneficiis infra *Decanatum* suum vacantibus, curatis et non curatis, quæ ultra tempus collatoribus seu patronis eorundem à jure statutum vacaverint: nec non de ipsis collatoribus et patronis, ac eorum nominibus diligentius inquirat, nobis, seu vicario nostro in spiritualibus illa cum suorum patronorum et collatorum nominibus quamprimum commodè possit, sic tamen, quod istud ultra duorum mensium spatium non differat, post inquisitionem hujusmodi in scriptis notificet. Quod si facere obmiserit, pœnam suspensionis ab officio divinorum dicto duorum mensium spatio lapsa incurrat, quam etiam pœnam quilibet confratrum, qui super præmissis requisitus ea *Decano* scienter celaverit, incidat simili modo. Verùm quia nonnulli prætextu literarum apostolicarum, quas se impetrasse mentiuntur, ecclesiastica beneficia vacantia propria temeritate in periculum animarum suarum occupare præsumunt, ordinamus, ut de cætero quilibet *Decanus*, seu ejus locum tenens, tam eorum, qui infra suum *Decanatum* ecclesiastica beneficia vigore literarum apostolicarum assequuntur, quàm etiam beneficiorum et patronorum eorundem nomina infra mensis spatium à tempore assecutionis hujusmodi computandum, nobis, vel vicario nostro rescribat, seu notificet, alioquin similem pœnam, ut præfertur, dicto mense lapsa incurrat, tempus autem à jure datum pro conferendis beneficiis patronis ecclesiasticis sex menses, laïcis verò quatuor intelligatur.

Præterea statuimus et ordinamus, ut quilibet *Decanus*, seu ejus locum tenens infra proximos tres menses à publicatione præsentium, omnes suos confratres, cæterosque presbyteros seculares, et religiosos infra suum *Decanatum* beneficia ecclesiastica inofficiantes, de quorum titulis, seu induciis sibi non constat, ad ostendendum sibi investituras, aut inducias beneficiorum suorum moneat, et eos qui infra quindecim dies ammonitionis hujusmodi illas sibi non ostenderint, ab inofficiatione beneficiorum suorum auctoritate nostrâ in scriptis cum insertione causæ suspensionis suspendat, et

* The same *Rubric* on the office of *archpresbyter-rural* passed the synod of Hildesheim, under Bishop Valentine, A.D. MDXXXIX. The officer is there called *rural archpriest*, instead of *rural dean*.—See *CC. Germania*, Tom. VI. pp. 314-15.

de cætero nullum infra suum decanatum ad inofficiandum aliquod beneficium ecclesiasticum, nisi sibi priùs ostenderit investituram, aut inducias sigillatas, scienter toleret, et admittat. Quodsi quempiam talium literas suas, ut præfertur, sibi non ostendentem, in regimine, et inofficiatione ecclesiastici beneficii contra præmissa tolerare presumpserit, ipsum, ut supra mandatur, non suspendendo, extunc aliis quindecim diebus elapsis suspensionis sententiam propter hujusmodi negligentiam suam incurrat ipso facto: sit etiam forma suspensionis, quam in scriptis decanati ferant: *“Quia tu monitus, ut titulum, vel inducias tui beneficii ostenderes, infra quindecim dierum spatium hujusmodi mandato non paruisti, nec titulum ostendisti; ideo auctoritate mihi concessâ te in his scriptis à divinis suspendo, et suspensum denuntio.”* Quam formam etiam in aliis censuris infligendis juxta causarum exigentiam volumus observari.

Considerantes, quòd decanati rurales pro eo constituuntur, ut clericorum honestatem, et confratrum utilitatem procurent, excessus eorum referant, mandata nostra, vicarii, et officialis nostrorum debite exequantur, et singula, quæ à superioribus mandantur, ad notitiam confratrum suorum deducant: quæ cum à decanatibus suis absentes nequeant adimplere, statuimus et ordinamus, ut quilibet decanus nostræ diocesis teneatur residentiam facere infra suum decanatum personalem, decernentes, ut absentes à suis decanatibus decanati, nisi infra mensem proximum à publicatione præsentium ad residentiam taliter, secum effectu receperint, et etiam illi, qui se de cætero à suis decanatibus absentaverint, animo alibi residendi, seu domicilium extra decanatum suum constituendi, et fovendi in absentia hujusmodi per unum mensem perstiterint ab hujusmodi suis decanatibus lapso mensis spatio prædicto sint eo ipso privati, moxque camerarius teneatur confratres capitulares pro alterius decanati electione convocare, et alium decanum cum eisdem eligere. Quod si camerarius infra quindenam post lapsum dicti mensis spatii facere neglexerit, sit eo ipso ab officio divino rum suspensus.

Hac insuper constitutione universis, et singulis decanatis nobis subjectis præcipimus, ut notorios excessus, et præsertim illos, quibus ecclesia scandalizatur quorumcunque infra suum decanatum beneficiatorum, seu aliorum clericorum infra duos menses à tempore notitiæ suæ computandos, nobis, seu vicario nostro notificent, et conscribant. Quod si quis facere neglexerit, et hujusmodi statutum executus non fuerit cum effectu propter Omnipotentis Dei misericordiam, quam incurrit, penâ condignâ, per nos, aut nostrum vicarium puniatur, et mulctetur. Sunt autem scandalosi excessus, furtum manifestum, homicidium, fornicatio scandalosa presbyteri, et adeo notoria, quod nullâ potest tergiversatione celari. Item si clericus literatoriè excommunicatus publicè, et

in formâ ecclesiæ celebraret, vel ministraret legendo evangelium, seu epistolam. Item si clericus usuram manifestè exerceret. Item si clericus cujuscunque gradûs post monitionem decanî se tabernis, lupanaribus, et actibus illicitis notoriè immisceat, et his similes.

Insupèr ordinamus, ut nullus in decanum ruralem nostræ diœcesis electus, aut eligendus, nondum confirmatus officium decanî ante confirmationem suam à nobis, vel vicario nostro, obtinendam, exercere, aut se decanum nominare, vel scribere, vel pro tali gerere quomodolibèt presumat: formam autem juramenti per decanum quemlibet in suâ confirmatione præstandi talem esse volumus juxta ad nos deductam, et longævè observatam consuetudinem, ut sequitur: primo videlicet jurabit, quod mandata nostra, vicarii, et officialis nostrorum pro tempore existentium reverenter exequatur, ut nobis, et eisdem fidelis erit, quodque officium, ad quod electus est, fidelitèr exercebit absque dolo, et fraude. Item quod penes se habeat statuta synodalia, et illa in anno quater, vel evidenti se dante necessitate, vel impedimento, minus bis confratribus suis ad intellectum publicabit, eaque inviolabilitèr observabit, et ab aliis quantum in eo est, observare faciat dolo, et fraude semotis. Quod insuper excessus confratrum suorum, prout ad se spectat, corrigere, incorrigibiles vero pro eorum excessibus pro quibus deferendi sunt nobis, vel vicario, seu officiali nostris deferre non tardabit.

Cæterum quamvis ex predecessorum nostrorum, et etiam nostrâ concessione diu tolerata, decanîs locorum competat facultas, ecclesiis per obitum vacantibus ad mensis spatium, à die vacationis earundem computandum, per personas idoneas providendi in divinis et animarum cura, nolumus tamen, quod induciis autoritate nostrâ ordinariâ ad ecclesias ipsas, vel alia beneficia vacantia concessis expirantibus, ipsi decanî illis perindè providendi absque nostrâ, vel vicarii nostri speciali licentiâ aliquam habeant facultatem, alioquin si secùs per ipsos actum fuerit, decernimus viribus carere.

CC. Germaniæ, Tom. v. p. 451—453.

SECT. V. 2.—*Diocese of Constance.*

OFFICE OF *Dean Rural* IN THE DIOCESE OF CONSTANCE, UNDER CARDINAL
MARK SITIC, BISHOP OF CONSTANCE, A.D. MDLXVII.*

I. MAXIMAM profectò vim ac necessitatem habet illa Domini sententia per Prophetam dicentis: Speculatorem dedi te domui Israel: et alio itè loco, Diligenter agnosce vultum pecoris tui, et considera super greges tuos: ut episcopi gregem sibi à Deo commendatum, quantà maximà possunt vigilantia, observent, neque oculos ab eo unquam dejiciant: animadvertentes, quid ei opus sit, et con fractas partes alligare, infirmas consolidare, ægrotas sanare, abjectas oves reducere, perditas requirere, et recuperare possint. Quandoquidem verò episcopi propriis oculis omnia perlustrare nequeunt, et propterea ultrà vicarios et visitatores, in singulis diœcesium suarum regiunculis certos et probatos viros deligere consueverunt, qui investigent, an populus ambulet in viis Domini, an aliquid sit, quod episcopi cognitionem et medicinam desideret: an aliquid, quod corrigi et emendari debeat; quæque compererint, ad episcopos suos fidelitèr deferant: hos in aliquibus locis archidiaconos, in aliis archipresbyteros vocant, in nostrà autem diœcesi *Decanorum ruralium* nomine censentur.

II. Cum aliquis, vacante *Decanatu*, à regiunculæ suæ, quam capitulum vocant, sacerdotibus legitimo electionis processu rite servato, in *Decanum* electus fuerit, is primò quoque tempore nobis, vel vicario nostro in spiritualibus confirmandus præsentari debet. Interim caveat electus, sibi que sub pœnâ excommunicationis latæ sententiæ ipso facto committendâ, interdictum sciat, ne officio *Decani* fungatur, nec se talem nominare, tenere, vel scribere præsumat, aut ab aliis nominari, teneri, vel scribi aliquo modo patiatur, antequam confirmationem suam à nobis, vel vicario nostro obtinuerit. Nullus autem in *Decanum ruralem* eligi possit, nisi aliquis ex parochialium ecclesiarum illius capituli, cujus *Decanatus* vacat, pastoribus, seu vicariis perpetuis, canonicè institutis, et qui apud suam ecclesiam continuò resideat, nisi nobis ex magnâ et legitimâ causâ aliter visum fuerit; nec aliquis in electione *Decani*, aut aliis negotiis capitularibus, votum habeat, nec ad capitulum ullo modo admittatur, nisi et ipse parochus, vel vicarius perpetuus alicujus ecclesiæ ejusdem capituli, legitimè que

* Less comprehensive instructions for *Deans rural* of the same diocese were drawn up by James bishop of Constance, A.D. MDCIX.—See *CC. Germania*, Tom. VIII. p. 395. The *Formæ Juramenti Decanorum Ruralium* in the latter is more brief.

à nobis, vel vicario nostro institutus sit. In primis autem curent electores, ne quenquam, nisi spectatæ, probatæque vitæ, sufficientis eruditionis atque prudentiæ in *Decanum* eligant, scituri, quod nos fornicatores et concubinarios, aliisve enormibus vitiis contaminatos, in *Decanos* electos, nullo modo confirmaturi, sed habitâ inquisitione, negligentiam eorum in eligendo, alteriùs magis idonei et exemplaris, etiam ex sacellanis, si inter pastores idoneorum copia non esset, electione, toties, quoties id contigerit, auctoritate nostrâ ordinariâ suppleturi simus.

III. Electo aliquo in *Decanum*, et nobis, seu vicario nostro per literas, (ejus enim præsentia, ante factam inquisitionem, non requiritur) ad confirmandum præsentato, siquidem spes sit, quod vicarius noster in pontificalibus, vel aliqui alii nostri visitatores, brevi visitationis causâ, in illud capitulum venturi sint, detur electo simplex commissio, et in eadem per juramentum fidelitatis nobis præstitum, ei mandetur: ut vice *Decan*i, donec vel ipse, vel alius idoneus, habitâ inquisitione, confirmatus fuerit, fideliter fungatur. Interim vero visitatoribus nostris, in eundem *Decanatum* migraturis, sub sigillo vicariatus nostri committatur, ut de vitâ et conversatione, doctrinâ et eruditione, aliisque qualitatibus electi, tres vel quatuor seniores capitulares, et totidem ex sacellanis senioribus ejusdem capituli, medio juramento præstando, auctoritate nostrâ examinando, diligentem inquisitionem habeant, et potissimum interrogent, annè electus honestæ et probatæ vitæ? Item an doctus, et earum rerum, quæ ad parochum, et curam animarum pertinent peritus sit? annè officium suum pastorale diligenter præstiterit? an de catholicâ religione benè et sincerè sentiat? an de hæresi vel sectâ aliquâ, aliquandò diffamatus fuerit? nùm concubinam et filios vel filias habeat, et quot? an scortator, potator, lusor, blasphemus, percussor, vel aliis ejus generis vitiis affectus sit? Quo facto iidem visitatores nostri, nobis, vel vicario nostro, de suâ inquisitione, fidelem relationem faciant, dictaque testium examinatorum in scripto exhibeant. Verùm ubi brevi tempore, eidem loco, seu capitulo, nulla immineret visitatio, id quod jam antea de visitatoribus nostris diximus, alicui ex commissariis nostris juratis, sive illi in curiâ nostrâ, sive extra habitent, sumptibus nostris committatur. Ubi autem electus, ex factâ inquisitione, probatæ vitæ, dignus et idoneus repertus fuerit, tum huc vocatus, coram vicario nostro, atque notario, et testibus juratum fidei professionem, secundum Pii IV. formulam, faciat, et *Decanatus* juramentum, sub eâ, quæ sequitur, verborum formâ, præstet. Quibus factis, confirmationis beneficium ei conferatur.

IV. Forma autem juramenti *Decanorum* ruralium talis est: "Ego N. juro et promitto Deo Omnipotenti, et Beatæ Mariæ Virgini, sanctisque Pelagio et Conrado, ecclesiæ Constantiens. patronis, quod reverendissimo domino episcopo Constan-

tiens. et suis successoribus, canonicè intrantibus, eorumque vicario et officiali pro tempore existentibus, fidelis et obediens ero: ejusdem reverendissimi domini episcopi, et ejus ecclesiæ commoda promovebo, et damna avertam: officium, ad quod electus sum, juxta modum et formam, *Decanis* in Statutis Synodalibus præscriptam, fidelitèr exercebo, absque dolo et fraude, et non modo non interero aliquibus conspirationibus, seu tractatibus, contra eundem reverendissimum dominum episcopum, ejusque ecclesiam Constantiens., sed eos, qui me sciente fierent, vel ab aliquibus attentarentur, pro viribus impediam, et præveniam: et si minus possim, de illis saltem eundem reverendissimum dominum meum episcopum Constantiens. admonebo, ac eos, qui hujusmodi conspirationum, seu tractatum auctores fuerint, ei deferam. Sic me Deus adjuvet, et hæc Sancta Dei Evangelia.”

v. *Decani* sciant, se in partem sollicitudinis episcopalis vocatos esse, et propterea capitula ruralia, quater singulis annis, aut saltem bis, ubi id, propter amplitudinem *Decanatus*, hactenus ita observatum fuit, convocent, in quibus, postquam solennis missa, vel pro defunctis, vel de Spiritu Sancto, more consueto, solenniter cantata, et concio ad populum ab aliquo eorum, a *Decano* ad hoc priùs admonito, habita fuerit, (quæ in singulis capitulis, ante negotia capitularia, fieri debent) aliqua pars præsentium constitutionum nostrarum synodaliū, et præsertim ea, quæ pro temporum, rerum, et personarum necessitate, opportuna visa fuerint, vel ab ipsis *Decanis*, vel eorundem jussu, ab alio confratrum, capitulariter congregatis prælegantur. Id autem eo ordine fiat, ut præsentēs constitutiones omnes, à principio ad finem usque, in biennio, vel ad summum in triennio, penitèr perlegantur. Quas quidem constitutiones ipsi *Decani*, tanquam earundem à nobis deputati executores, inviolabiliter observent, et ab aliis, quantum in eis fuerit, observari faciant.

vi. Lectis statutis synodalibus, conferant *Decani* cum suis confratribus de iis, quæ ad boni pastoris officium, et ad curam animarum rectè gerendam pertinent, et consulant de difficultatibus, gravaminibus, et incommodis cujuslibet ecclesiæ, quorum explicatio, vel remedium, aliorum consilium, et operam requirat. Si quid ab aliquo confratrum, seu etiam sacellano, aut quovis alio clerico, in suo *Decanatu* habitante, contra canones, Concilium Tridentinum, vel has nostras constitutiones peccatum fuerit, id cum confratrum consilio corrigant. Si quos verò notorios et graviore clerici et populi excessus, quibus ecclesia Dei scandalizatur, et quibus ipsi mederi non possint, quorumque correctio ad *Decanos* non spectet, ut sunt adulterium, furtum manifestum, homicidium, usura manifesta, fornicatio, et alia hujusmodi majora et notoria delicta, commisisse compererint; Item, si clericum excommunicatum, suspensum, vel interdictum, publicè in ecclesiâ missam celebrare, vel alia ministeria ecclesiastica per-

agere: et si aliquem clericum, cujuscunque gradûs aut dignitatis fuerit, post admonitionem, se lupanaribus, tabernis, ludis publicis, spectaculis, rixis, temulentis, et aliis illicitis actibus publicè immiscere, vel concubinam alere animadverterint, (de quibus omnibus *Decani*, tanquam episcoporum oculi, in suo quisque districtu, sedulò inquirere tenentur) eos omnes, vi juramenti nobis præstiti, infra unum mensem, à tempore notitiæ computandum, nobis, vicario, vel procuratori nostro fiscali, deferant, et notificent.

VII. Si quis clericus vel laicus hæreticus esse, vel malè ac perversè, in rebus fidei nostræ, docere et sentire, detectus fuerit, officium *Decani* inprimis est, eundem nobis, vel vicario, procuratorive nostro fiscali indicare, et deferre; ut tantum malum, priusquam latius serpat, quantum possibile fuerit, è medio tollatur. Idem quoque ad habentes, seu legentes libros hæreticos, et prohibitos, vel aliis modis se de hæresi suspectos reddentes, extendimus, nisi admoniti resipiscant.

VIII. Ignotos clericos, maximè si illi aut sacerdotes, aut monachi sint profugi, *Decanus* in suâ ditione non ferat: nec quenquam ad concionandum, sacramenta administrandum, missamve publicè dicendum, admittat: sed potiùs prohibeat, ab eisque arceat, et repellat, nisi se per nostras, vel vicarii nostri literas, ad hoc admissum esse docuerit. Eum verò, vel eos, qui se sine consensu *Decani*, vel contra ejus admonitionem, in ejusmodi ecclesiarum ministeria, propriâ auctoritate ingesserint, nobis, vel vicario nostro quamprimum significare studeat.

IX. Præterea ordinamus, ut quilibet *Decanus*, infra unius mensis spatium, à publicatione et editione præsentium statutorum, omnes suos confratres, parochos, vicarios, sacellanos, et denique sacerdotes et clericos quoscunque, etiam regulares, cujuscunque ordinis, qui vel curam animarum, in aliquâ ecclesiâ sæculari, sui districtûs, administrant, vel aliud ecclesiæ sæcularis ministerium exercent, si de eorum institutione, seu investiturâ, commissione, vel, quas vocant, induciis, sibi non constiterit, suas investituras, vel commissiones infra quindecim dierum proximè sequentium spatium sub pœnâ suspensionis, sibi ostendere, auctoritate nostrâ in scriptis requirat. Si qui id facere noluerint, vel non potuerint, mox *Decanus* eosdem ab ordinum suorum executione suspendat. Sit autem forma suspensionis, quam *Decani* in contumaces scripto ferant, talis:—*Quia tu N. sub pœnâ suspensionis admonitus, ut infra quindecim dierum spatium, titulum, investituram, commissionem, vel inducias tui beneficii ostenderes, ejusmodi admonitioni non paruisti: idcirco, ego N. Decanus capituli N. auctoritate ordinariâ mihi concessâ, te in his scriptis, ab ecclesiæ ministerio suspendo, et suspensum denuncio. Actum die &c.* Quam formam etiam in aliis censuris infligendis, juxta causarum exigentiam observari volumus. De cætero

autem decanus nullum infra suum decanatum, in alicujus ecclesiæ ministerio, nisi ei prius titulum, investituram, commissionem vel inducias, nostro, vel vicariatus nostri sigillo signatas, ostenderit, admittat, aut toleret: quod si decanus quempiam talium, literas suas, ut prædictum est, sibi non exhibentem, in regimine beneficii, vel ministerio ecclesiastico, ultra prædictam quindenam, toleraverit, eum, ut jam antea mandatur, non suspendendo; tunc aliis quindecim diebus elapsis, ipse decanus, propter hujusmodi negligentiam, suspensionis sententiam ipso facto incurrat.

x. Statuimus quoque, ut decanus in singulis capitulis, ac etiam extra capitulum, ubicunque occasionem habuerit, de omnibus beneficiis in decanatu suo vacantibus, quæ ultra tempus beneficiorum collatoribus, et patronis, à jure præfixum, vacaverint: nec non de eorundem collatorum, seu patronorum personis, et nominibus diligenter inquirat, illaque nobis, vel vicario nostro, quam primum commodè possit, sic tamen, ut id ultra unius mensis, à die notitiæ computandi spatium non differat, scripto notificet. Mandamus etiam quibuscunque clericis, sub gravi poenâ, arbitrio nostro infligendâ, ut à decanis de iis requisiti et interpellati, quæcunque eâ de re sciverint, eis non celent. Quo verò ad tempus institutionis faciendæ de præsentatis ad parochiales, servetur tempus præfixum in bullâ S. D. N. Papæ, quod erit bimestre, juxta institutionem Pii V.

xi. Cum decanis ruralibus à nobis permissum sit, ut ecclesiis parochialibus vacantibus, per mensis spatium, à die vacationis computandum, per se, vel alios idoneos, auctoritate nostrâ, ministrare, et fructus beneficii vacantis pro rata temporis, et ratione laborum susceptorum recipere possint: prout hæc infra, sub titulo de parochiis, latius continentur: ut autem non tantum ecclesiæ parochiales, sed et sacella, et reliqua beneficia ecclesiastica, post ejusmodi elapsum mensem, debito non fraudentur obsequio, eisdem decanis præcipiendo injungimus, ut eodem primo mense elapso, si interim nulli alii presbyteri eis præficiantur, considerent, quo pacto, et per quos, ecclesiis seu beneficiis vacantibus, debita ministeria impendi valeant, idque per se, vel alios idoneos, si reperiri possint, fieri efficiant: ita tamen, ut illi commissiones seu inducias, super iis, à nobis, vel vicario nostro, sub poenâ in eos, qui in alienis ecclesiis ministrant, constituta, petant et recipiant, easque ubi expiraverint, et interim ecclesiis vel beneficiis provisum non fuërit, renovari curent.

xii. Porro decani mandata et processus nostros, vicariique, et officialis nostrorum, pro tempore existentium, maximè contra confratres suos, reverentè et fidelitè exequantur, neque aliquâ excusatione se tueri præsumant: sed quamprimum ea ipsis præsentata fuerint, infra tempus debitum, secundum loci distantiam, sacerdotibus, contra quos ea decreta fuerint, executionem scribant, eisque copias cum executio-

nibus à tergo signatis, per juratum pedellum capituli sui, ad eum diem, in quem executiones hujusmodi scripserint, mittant. Quod si hujusmodi processus, ad instantiam sigilliferi, fiscalis, vel aliorum officialium nostrorum emanati fuerint, absque eorundem expensis; si autem ad instantiam privatarum personarum, cum moderatis expensis, eidem pedello solvendis, videlicet sex cruciferis pro milliari. Nuncios nostros, cum talibus processibus ad eos venientes, benignè recipiant, eosque ab insidiis quorumcunque, quantum in eis fuerit, protegant, neque eos quovis modo, ut in itinere offendantur, prodant, sed auxilio et consilio sint, quo tuto domum redire possint. Contra autem prohibemus severè pedellis et nunciis nostris, ne a Decanis, camerariis, vel aliis invitis, esum, potum, vel diversorium exigant, aut ullà alià molestià eos afficiant.

XIII. Decanus caveat, ne se intromittat de judicando inter confratres suos, super discordiis, seu differentiis quarumcunque causarum; sed si ipsi inter se, vel cum aliis, ratione decimarum, annuorum reddituum, injuriarum, et aliarum rerum, discordes fuerint, eos ad tribunal nostrum ecclesiasticum remittat. Per hoc tamen ei non inhibetur, quin inter confratres, vices suas amicales, interponere, eosque amicè concordare possit, maxime in causis auctoritatem nostram ordinariam non requirentibus, ut sunt injuriæ et causæ prophanæ: in ecclesiasticas verò, decimarum, reddituum, bonorum, prædiorum, et rerum beneficialium, causas, se etiam amicabili transactione, intromittere nullo modo præsumat: cum ipse, absque ordinariâ nostrâ concessione, uni beneficium auferre, et alteri dare, nequaquam possit, et valeat.

XIV. Decanus quoque non patiatur quenquam sacerdotum coram judicio sæculari, saltem in personâ reâ, comparere, et multo minus ipse compareat: eos vero sacerdotes, qui taliter in personâ reâ comparuerint, mox ab omni ministerio ecclesiastico suspendat, neque eâ causâ suspensum quovis modo ad officii sui excusationem admittat, sed eum ad nos, vel vicarium nostrum, cum plenâ facti informatione, puniendum remittat.

XV. Singulo quoque semestri, Decanus cum camerario, et si ita ei visum fuerit, uno atque altero ex prudentioribus sui districtûs Decanatus presbytero, sibi adjuncto, omnes scholas, ut supra in titulo de privatis scholis, sancitum est, nec non ecclesias et sacella consecrata sui Decanatus visitet, atque omnia, quæ in iis, juxta canones et constitutiones nostras synodales, tam in spiritualibus, quam temporalibus emendanda judicaverit, si tamen illa leviora sint, emendarique ab eo valeant. Si quæ vero graviora sint, et ab illo emendari non possint, de illis nobis, seu vicario nostro referat.

XVI. Et insuper non solum visitationis, sed alio quocunque tempore diligenter inspiciant Decanus et camerarius, quæ in sui Decanatus templis, sacellis, et oratoriis

sint picturæ et imagines: et si quid contra catholicam religionem, ecclesiæque decorem, sculptum, depictumve reppererint, id nobis, vel vicario nostro significant, quo illi rei opportunum remedium justo tempore adhibere valeamus; insolitas autem picturas vel statuas in ecclesiis fieri, sine nostro, vel vicarii nostri iudicio, non permittant, ut in his veteris ecclesiæ decorum, sacrarumque historiarum veritas, et imaginum honestas, maturiore deliberatione circa eas præcedente, conservetur.

xvii. Cæterum quod ad cathedratium, primarios fructus, subsidia charitativa, et reliqua ejus generis attinet, *Decanus* cum camerario, in illis, quæ circa eorum exactionem antiquitus sunt observata, se fideles et diligentes præsent, adhibito etiam, si necessitas id postulet, ne ecclesia suo jure privetur, arrestationis remedio.

xviii. *Decanatum* quorumvis clerici suis *Decanis* obediant, et ad capitulum vocati compareant: si verò, quo minus veniant, legitime impediuntur, excusatores mittant, *Decanos* visitantes adjuvent, vitia et defectus, de quibus interrogabuntur, bonâ fide indicent: si ab eis de aliquâ re admoneantur, seu corripiantur, vel quid illis mandetur, cum reverentiâ se morigeros exhibeant, de debitis a *Decano*, vel camerario admoniti satisfaciant. Eos namque, qui ut inobedientes et rebelles nobis delati, et convicti fuerint, gravi poenâ afficiemus.

xix. Ne res et bona à clericis derelicta, ab inhiantibus rebus alienis, diripiantur, injungimus *Decanis* nostris, eamque facultatem, usque ad revocationem nostram, eis concedimus, ut quam primum aliquis clericus diem vitæ suæ clauserit extremum, *Decanus*, in cujus districtu defunctus habitavit, vel si ei non vacaverit, camerarius, aut aliquis ex quatuor consiliariis capitali, jussu *Decani*, adjuncto sibi scribâ capituli, vel notario publico, si eum habere possit, atque duobus testibus clericis, vel si non adsint, laicis, omnes et singulas res et bona, per eundem derelicta, nostro nomine in inventarium fideliter redigat, et in sequestrum, seu arrestum ponat, donec de veris et legitimis hæredibus constiterit: pro quibus laboribus hæredes defuncti *Decano*, notario, seu scribæ, competenter satisfacere teneantur: ubi autem de dividendâ hæreditate inter hæredes non conveniret, aut alias eorundem bonorum derelictorum nomine, inter aliquos controversia oriretur, tunc *Decanus* de iis rebus contententes, ad consistorium nostrum, pro consequendâ justitiâ remittat.

xx. Et cum nos de longissimâ consuetudine ab aliquot sæculis introductâ, in bonis mobilibus et immobilibus omnium clericorum civitatis et diocesis nostræ, ex thoro illegitimo natorum, jus succedendi habeamus: omnibus et singulis *Decanis* et camerariis ejusdem diocesis nostræ mandamus, ut quilibet *Decanus* se de natalibus quorumcunque clericorum sui *Decanatus* diligenter informet, et si quoscunque ex eisdem natalium defectum pati repperit, unâ cum eorundem, et ecclesiarum, quibus mini-

strant, nominibus, nobis quantociùs propalare studeat, et quamprimum ipsis decanis et camerariis, utrisque vel alteris eorundem, de morte alicujus clerici illegitimè nati constiterit, quæcunque bona per eum derelicta, eo modo, quo in proximè præcedenti capite dictum est, in inventarium conscribant, atque sub firmo arresto, auctoritate nostrâ ponant, aut poni faciant: inhibentes omnibus, ne eadem distrahant, aut alienent, vel in usus suos convertant: et interim talis presbyteri, seu clerici obitum nobis, vel sigillifero nostro, absque morâ insinuent, et notificent. Secus facientes, volumus ipso facto ab officiis suis esse suspensos, donec à nobis, vel vicario nostro, absolutionis beneficium obtinere meruerint.

xxi. Ne autem decanî tot tantisque laboribus soli graventur, volumus et mandamus et cujuslibet regiunculæ camerarius, vel eo impedito, senior ex quatuor consiliariis (qui in omnibus capitulis decanîs adjungi solent et debent) sui decanî perpetuus vicarius, cooperarius, et adjutor sit, eaque omnia, quæ decanus, infirmitate, necessariâ absentia, vel aliâ justâ causâ impeditus, facere non potest, camerarius, vel senior consiliarius, decanî tamen præcitu, consilio, et jussu, perficiat, et expediat, atque decano in omnibus rebus licitis et honestis obedientiam præstet. Generaliter autem decanus, camerarius, et senior consiliarius, non tantum ea, quæ sparsim hinc inde in hisce constitutionibus, eis injuncta sunt, sed reliqua omnia, quisque in suo districtu, fideliter et pro viribus exequatur: iidem quoque ad futuras synodos vocati compareant, diligenterque invigilent, ut parochi subditos suos doceant, corrigant, et veluti fideles pastores, in viâ catholicæ doctrinæ contineant, ne irregularitate contracta ministrent, neve in foro conscientiæ, in dubiis respondeant, nisi peritiores priùs in consilium adhibuerint; ad hæc ut ab extorsionibus et exactionibus illicitis et insolitis abstineant, et libertatem ecclesiasticam, quantum in eis est, tueantur: ad quæ omnia camerarii, nedum in suis capitulis, verùm etiam hic, coram vicario nostro in spiritualibus, quam primum quisque post electionem suam, ad reddendam rationem officii sui, vel ob alia negotia huc venerit, juramento se astringere debent.

xxii. Postremo decanî et camerarii singulis annis administrationum suarum coram nobis, vel vicario, et aliis officialibus nostris, ad quorum officia id spectat, fidelem et sinceram rationem reddere teneantur: et quamvis ipsi ad ea omnia præstanda ex officio et vigore juramenti, quod facere consueverunt, astricti sunt, nos nihilominus debite gratitudinis memores, si se diligentes, sedulos, et fideles in suis officiis exhibuerint, omnem eis gratiam et promotionem, cuivis labori et diligentia, nostri causâ susceptis, condignam et correspondentem pollicemur.

xxiii. Sed quandoquidem apud quosdam nefandissimus ille abusus invaluit, ut plerùmque indignos, et maximis vitiis irretitos, in decanos eligant, quo minus illi alios

reprehendendi, corripiendique habeant occasionem: idcirco nos hoc presenti statuto, visitatoribus nostris specialibus, in quovis districtus seu capitula brevi ablegandis, committimus, et mandamus, ut quam primum in aliquod capitulum pervenerint, de vitâ, habilitate, et aptitudine decanî, et etiam aliorum confratrum capitularium diligenter inquirant, et de eo, quod in tali inquisitione reppererint, nos, vel vicarium nostrum certiores reddant. Tum nos, vel idem vicarius noster, si et nostro, et visitatorum judicio, decanum minus idoneum invenerimus, eundem ab officio deponemus, et capitulo mandabimus, ut dignum et idoneum eligat, nobisque confirmandum presentet. In quâ confirmatione ea, quæ supra in presenti titulo, capite tertio definita sunt, strictè et ad amussim observari volumus.

CC. Germaniæ, Tom. VII. p. 548—555.

SECT. VI.—*Diocese of Eichstadt.*

OFFICE AND JURAMENT OF *Deans Rural* IN THE DIOCESE OF EICHSTADT,
BY BISHOP JOHN MARTIN, A.D. MDXLVII.

DECANI rurales, qui juxta antiquam consuetudinem per diocesin nostram constitutam, debent officium suum fidelitèr exequi, et implere, prout in antiquis statutis continetur. Sic tamen nullus in decanum ruralem electus ante confirmationem à nobis, vel vicario nostro obtentam decanatus hujusmodi officium presumat quovis modo exercere. Similiter nec possint decanî, vel camerarii à fratribus deponi, aut aliàs liberè cedere, nisi renuntiationis, cessionis, vel depositionis causa sufficiens coram nobis, vel vicario nostro fuerit ostensa et deducta. Debet autem decanus ruralis talitèr in diocesi nostrâ constitutus in principio suæ receptionis jurare, vel saltèm fide datâ promittere vice et loco juramenti, quòd infra scriptos articulos sine fraude et dolo observabit.

Primò, quòd domino episcopo Eystetensi obediens existat, ejusque mandata, et suorum judicum reverentèr accipiat, atque cum benevolentia pro posse suo efficacitèr adimpleat; et juxta officium suum fidelitèr exequatur. Item, quòd *Constitutiones Synodales* per episcopos Eystetenses factas, editas, vel approbatas firmitèr observet, et ab aliis confratribus sui decanatus jubeat inviolabilitèr observari, illud etiam observabunt decanî rurales, ut quandocunque juxta consuetudinem antiquam presbyteri, aut clerici alicujus decanatus semèl aut bis in anno conveniunt, eis non concedant recedendi licentiam, nisi coram omnibus illius decanatus clericis hæc presentia

Synodalia Statuta publicè lecta fuerint, ut sic per repetitam notitiam ad eorundem observantiam efficacius inducantur. Si quid etiam quæstionis et difficultatis magnæ in clero illo emerit, et præcipuè de his qui concubinatibus publici, vel aliis enormibus criminibus, puta hæresis, irregularitatis, apostasiæ, simoniæ, perjurii notorii, et similibus sunt irretiti, aut aliàs scandalum grave generant in populo, hoc absque morâ infra unius mensis spatium nostris, vel vicarii nostri auribus curent intimare, alioquin secus negligentè facientes pœnâ suspensionis à divinis, et pecuniariâ, videlicet viginti quinque florenorum de Rheno absque remissione mulctabimus.

CC. Germania, Tom. v. p. 374.

SECT. VII.—Diocese of Freysingen.

ARTICLES OF VISITATIONAL INQUIRY FOR **DEANS RURAL** OF THE DIOCESE OF
FREYSINGEN, BY BISHOP SIXTUS DE TANNBERG, A.D. MCCCCLXV.

DECANI rurales infra Pasche et Pentecostes festa proximè futura adjunctis sibi testibus synodalibus visitabunt parochias decanatûs sui, et recepto juramento à plebanis, eorum domesticis capellanis, et ab aliis honestis et gravibus viris parochiarum quærent de infra scriptis:—

Primò. De vitâ, scientiâ, et moribus regentis ecclesiam. Et an bene præsit domui suæ?

Secundò. Quomodo ecclesia provisa sit circa sacramenta et reservatoria sacramentorum?

Tertiò. Quomodo provisa sit libris, calicibus, patenis, corporalibus, sacris vestibus, et ornatibus, et an illa munda teneantur? Et si defectus in his sit, an fabrica ecclesiæ sufficiat ad illa reparanda? Et an singulis mensibus viaticum pro infirmis denuo consecratur?

Quartò. An ecclesia sit in debitis? et an rector ecclesiæ alienaverit, vel obligaverit ad tempus, vel ad vitam bona ecclesiæ? et qualem familiam habeat?

Item, an sit tabernarius, lusor, vel aliàs mali exempli? et an singulis diebus dominicis legat missas, et prædicet populo? et an ad hoc aptos libros habeat? et an sit in debitis? et an missas fundatas, et aliàs de jure vel consuetudine debitas cum devotione, et honestè persolvat?

Item videatur liber ipsius, quo utitur in conferendis et administrandis sacramentis. Et examinetur, si sciat formas sacramentorum?

Item, si ecclesia regitur per vicarium, quæratür præcipuè, si pastor sibi fructus in toto vel in parte reservaverit? aut ecclesiam cum omnibus fructibus eidem locaverit? et an excessivum censum solvat? et an gravet subditos in recipiendis remediis, vel aliis juribus parochialibus? et an cooperatoribus et capellanis debitum salarium solvat?

Præterea inquiratur de formatis vicariorum, sociorum divinatorum, et capellanorum: et si sint de alienâ diœcesi, an sint recepti juxta statutum de clericis peregrinis.

Item, quæratür de vitricis ecclesiarum, an singulis annis rationem reddant plebano, et communitati parochiæ? Et an habeant cistam cum tribus clavibus, in quam pecunias fabricæ deponant juxta statutum provinciale? et si non habeant, ut de his provideant? Et quod lumen assiduè circa Corpus Dominicum ardeat?

Item, quæratür, an in parochiâ sint usurarii manifesti, vel aliis publicis criminibus irretiti: et de aliis etiam fiat inquisitio, quæ videntur reformanda?

In præmissis, quæ possunt commodè reformare, reforment, et de per se actis, et reformandis, per totum mensem Junii proximè futurum domino Præsidentî rationem reddant, et majora ad illius, vel vicariî ejus notitiam deducant.

CC. Germaniæ, Tom. v. p. 503.

SECT. VIII.—*Diocese of Osnaburg.*

INSTITUTION OF *Beans Rural* IN THE DIOCESE OF OSNABURG, BY CARDINAL FRANCIS WILLIAM, BISHOP OF OSNABURG, A.D. MDCXXX.

I.—DE DISTINCTIONE DIOCESES OSNABRUGENSIS IN CERTAS REGIUNCULAS, SEU *Decanatus*.

CUM nos ex debito solitudinis nostræ episcopalis, eam meritò curam suscipere debeamus, quomodo diœcesis nostræ satis amplæ, et vicinarum regionum ecclesiasticæ jurisdictioni nostræ subjectarum accessione, magis dilatatæ, cum prudenti circumspeditione ac distributione particularium quarundam solitudinum ac industriarum, faciliorem possimus reddere rationem ac curam, nulla nobis succurrit ratio melior, quam quæ olim exemplo Moysis demonstrata, jure ecclesiastico approbata, et à multis retrò archiepiscopos Coloniensibus tanquam metropolitanis, aliisque præsulibus, per christianum orbem ante multa sæcula suscepta, et pro idoneo medio conservandæ disciplinæ ecclesiasticæ, maximè inter pastores (à quorum exemplo populi probitas

dependet) existimata fuit, nempe ut diœcesis nostra in certas regiones et quasi classes distinguatur, quarum unaquæque certum et determinatum parochiarum numerum contineat, quibus unus ex pastoribus, cæteris vitæ et doctrinâ excellentior præficiatur, quem *decanum* ruralem vulgò appellare solent, qui præcipuam super alios curam, et in certis casibus auctoritatem habeat ampliorem, ac cæterorum presbyterorum per diversas parochias habitantium vitam jugi circumscriptione custodiat, et quâ quisque industriâ divinum opus exerceat, nobis renunciât, minora emendet, cuncta tamen ad nos referat, nec aliquid contra nostrum decretum ordinare præsumat, ut in nullo titubet ecclesiastica sollicitudo. Cujus rei cum nos in synodo nostrâ majore, anno millesimo sexcentesimo vigesimo octavo celebratâ, spem atque expectationem excitaverimus, eandem nunc, quantum in nobis est, perficere cupientes, statuimus et ordinamus, ut posthâc in episcopatu nostro Osnabrugensi, et locis diœcesanæ jurisdictioni nostræ subjectis, subsequentes regionum, seu decanatum distributiones observentur.

II.—DESIGNATIONES *Decanatum*.

III.—DE CONSTITUTIONE *Decanorum Ruralium*.

UT verò hæc res melioribus auspiciis inchoetur, nos in singulis *decanatibus*, seu regionibus supradictis aliquem nominamus et constituimus, quem, auditis aliorum testimoniis, existimamus aptiorem. Sunt autem sequentes (*Nomina Decanorum*).

IV.—DE SUCCESSIVÂ MUTATIONE ET NOMINATIONE *Decanorum*.

AD hujus vero rei firmitatem ac perpetuitatem conservandam, volumus posthâc singulo triennio ante quadragesimalem synodum, circa Dominicam *Invocavit*, ex pastoribus uniuscujusque *decanatus* unum magis idoneum nominare, qui professionem fidei in synodo post Dominicam *Oculi* publicè emittet, ac fidelitatis juramentum præstabit, quibus præviis illi confirmationem in scripto dari curabimus.

Constitutus vero *decanus* in alterum etiam triennium, si ex rationabilibus causis ita nobis videbitur, continuari poterit. Si quis vero *decanus* ante triennium moriatur, alius à nobis surrogabitur.

V.—FORMA JURAMENTI *Decanorum Ruralium*.

Ego N. &c. juro et promitto, quod reverendiss. et illustriss. domino Episcopo Osnabrugensi, et ejus successoribus canonicè intrantibus, fidelis et obediens ero, et ejusdem reverendissimi episcopi, et ejus ecclesiæ commoda promovebo, et damna avertam, atque officium *decanatus*, et commissa mihi ac mandata fideliter exequar, absque omni dolo et fraude. Sic me Deus, &c.

VI.—DE OFFICIO *Decanorum Ruralium*.

I. *Decant*s ruralibus in primis commendata sint omnia, quæ in canonibus, statutis synodalibus, ac provincialibus, de officio, vitâ, et honestate parochorum, sacerdotum, et clericorum sunt præscripta, et ut ea in seipsis exhibeant, et in aliis suæ regiuncule existentibus pastoribus observent ac requirant.

II. Ad *decani* ruralis officium pertinet, bis in anno ante synodum diocesanam, nimirum mense Febuario et Septembri, ad congregationem communem, seu capitulum suos pastores convocare; ecclesias parochiales, capellas, sacristias, sepulturas, cœmeteria, hospitalia, parochorum, aliorumque clericorum ædes ac familias, et alia pia loca districtis sui, quotannis simul, una cum camerario, vel alio adjuncto visitare ac diligenter inspicere, idque curare, ut sarta tecta serventur, et quæ ad divinum cultum sunt necessaria, vasa sacra, ornamenta, vestes, libri, rectè et integrè suo loco et ordine conserventur.

III. Diligentè quoque inquirent in jura et bona ecclesiastica sui *decanatus*, an rectè administrantur et conserventur? An ex iis aliquid alienatum sit, aut ab aliis usurpetur? An ecclesia aliqua turbetur, debitis oneretur, litibus implicetur, cum quibus, et ex quâ causâ?

IV. Præterea sollicitè ac prudentè, de pastorum, sacerdotum, custodum, ludimagistrorum, ædituorum, seu provisorum ac ministrorum ecclesiæ vitâ ac conversatione inquirent: nùm scilicet illi in functionibus suis, celebratione missarum, verbi divini prædicatione, sacramentorum administratione, catechismi doctrinâ, horarum persolutione, decentiâ morum, victûs ac vestitûs ratione, studii assiduitate, et alii similiter pro ratione functionis suæ officio suo satisfaciant, ac quid ubique locorum desit aut desideretur, accuratè considerent, ut ea ad nostram cognitionem referre possint.

V. Demùm graviores cleri et populi excessus, ac crimina publica, quibus ecclesia scandalizatur, *decant* ad nos referant, ut maturè scandalis obviare, et hujusmodi mala, antequam latius serpent, è medio tollere valeamus.

VI. *Decant*s ruralibus seriò etiam commendatur et injungitur, ut quæ de libris baptismalibus et matrimonialibus, nominibus communicantium, et id negligentium, post Pascha nobis, aut nostro vicario designandis, in præcedentibus synodis præscripta sunt, in praxin redigi curent.

VII. Cum contigerit aliquem ex parochis, curatis, aut cooperantibus ægrotare, *decant* est eundem invisere, eamque sollicitudinem adhibere, nè quicquam illi desit ex iis, quæ ad animæ seu corporis curam spectant. Si eorum quispiam obierit, rerum relictarum per se, vel camerarium, aut unum ex deputatis pastoribus, adjuncto notario (si haberi possit) et tribus testibus inventarium conficiet, easque obsignabit, ut piis

legatis, et aliis creditoribus de solutione debitorum cautum sit, atque omnia registra et monumenta ecclesiæ vel pastoratûs in usus eorundem conserventur, nec in aliorum manibus relinquantur, etiam sub prætextu, quod iis ad executionem testamenti indigeant, quibus tamen pro necessitate copia dabitur.

VIII. Quæ autem decanî in capitulis ac visitationibus quotannis fecerint, curaverint, cognoverint, ea omnia per camerarium scripto comprehendant, ut requisiti diligentiam suam comprobare possint: his verò singulis annis, scilicet ante quadragesimalem et autumnalem synodum, muneris sui rationem, vel coram, vel scripto nobis, aut nostro in spiritualibus vicario faciant, et quæ ipsis mandabuntur, cæteris pastoribus et subditis nostris tempestivè ac maturè insinuabunt; in negligentes privatione decanatûs, aut aliis poenis animadvertemus.

VII.—DE CONGREGATIONIBUS CAPITULORUM.

I. CONGREGATIONES capitulares annis singulis bis habeantur, ante synodum quadragesimalem et autumnalem, die aliquâ minimè impeditâ. Convenient verò ad citationem decanî omnes istius districtûs parochi, sacellani, et clerici, ac regulares, si qui ad curam animarum admissi sunt, ad locum à decano designatum, qui vel ecclesia erit, vel sacristia, vel domus pastoralis, aut alterius ecclesiastici viri. Qui adesse non poterunt, legitimè impediti, excusationes suas et causas scripto proferant, sub poenâ arbitrariâ.

II. Operæ verò pretium est, ut convenientes, tanquam ad rem seriam accessuri, per confessionem sacramentalem expiati ac præparati, in loco capitulari pridè compareant, nisi quidam tam propè habitent, ut eodem die tempestivè accedere possint.

III. Camerarius id curabit, ut, ubi capitulum celebrabitur, adventibus pastoribus de hospitibus honestis, ipsorum tamen sumptibus, provideatur.

IV. Ipso die capituli celebrandi sacrum pro fratribus et benefactoribus, tam vivis, quam defunctis, et alterum de S. Spiritu ab his, qui à decano præmoniti sunt, celebrabitur.

V. Sacro finito, fiat progressus ad locum capituli, ubi omnibus ordine consentientibus postquam decanus (qui tanquam caput congregationis directionem actionum capitularium habet) absentium excusationes audiverit, omnes assurgentes in genua procumbent, ad imaginem crucifixi, quæ in mensâ ponetur, aut, si in ecclesiâ celebretur capitulum, ad altare conversi, alternatim recitabunt hymnum, *Veni Creator Spiritus*, &c. decano collectam de S. Spiritu, et pro Romano episcopo subjungente.

VI. Ad has congregationes capitulares nemo, sive clericus, nisi de gremio capituli, nec quispiam laicus, sub quocunque etiam prætextu, accedet, aut admittetur.

vii. Considerentibus iterum congregatis, a decano proponetur, si quid ipsi singulariter mandatum aut injunctum fuerit, ac pro temporis ratione prælegatur, vel dicetur aliquid de his, quæ ad pastorum, sacerdotum, aut clericorum vitam et officia pertinent.

viii. Deinde inquiretur, si quod gravamen personæ ecclesiasticæ, vel loco, vel beneficio sit impositum, vel lis aliqua mota, unde periculum timeatur?

ix. Si quis istius regiunculæ clericus, vel etiam laicus, alterius potentiâ innocenter prematur, cui merito auxilium ferendum sit?

x. Si in districtu quispiam sit vagus et ignotus, qui sine legitimâ institutione et approbatione, divinis et sacramentorum administrationi se ingerat?

xi. Si quispiam parochus aut sacellanus, particulare gravamen quoad muneris sui executionem, expertus sit?

xii. Si ullus pastor, aut beneficiatus in istâ regiunculâ sit, in quo desideretur honestas clericalis, in vitâ, moribus, studiis, doctrinâ, habitu, familiâ?

xiii. Si in istâ regiunculâ sint hæretici, schismatici, apostatæ, concubinarij, turpiter, impiè, ac scandalosè in peccatis publicis viventes, aut de his, et aliis publicis criminibus suspecti aut diffamati, quos ipse diligenter notabit ac insinuat; horum verò, aut similium criminum examinationi, discussioni, aut correctioni, vel notabilium rerum definitioni decanum nullatenus sese immisceant; quòd nulla ipsis jurisdictionis competat auctoritas, sed solum ministerii et officii industria, et ad superiores relatio.

xiv. His peractis, decanus vel præleget, vel prælegi curabit ex synodalibus constitutionibus illa, quæ ad pastores, sacerdotes, ac eorum officia spectant; et si inter legendum occurreret, de quo præsentis, vel eorum aliquem monendum, aut informandum putet, id breviter et efficaciter faciet; ac deinde capitulares actiones per convenientes preces concludet, subjungetque orationem ex Romano pontificali, *Nulla est Domine*, etc., quæ habetur in cæremoniis synodi Osnabrugensis, anni millesimi sexcentissimi vigesimi noni.

xv. Quæ in his capitulis proposita et acta sunt, camerarius in librum peculiarem referet, ad memoriam et directionem necessariam.

xvi. In his conventionibus capitularibus, ut symbola fraterna et honesta constuantur, præsertim pro iis, qui procul parochiis absunt, nec intra tres aut quatuor horas domum suam pertingere possunt, non videtur improbandum.

xvii. Illud tamen cavendum est, ne hujusmodi conventiones, aut prandia, in cauponâ vel diversorio, sed in domo decani, aut alterius pastoris, vel ecclesiastici viri servantur, ac valdè sobria, moderata, et succincta sint, nec ullus ad ea admittatur, nisi qui sit de congregatis capitulis.

xviii. Hujus collationis sumptus, absentes cum præsentibus simul tolerabunt, et si quis notabilis excessus admissus fuerit, illum decanus nobis denunciare tenebitur, sub poenâ arbitrariâ.

xix. Ad vitandam verò inanitatem ac superfluitatem otiosi sermonis, initio mensæ sacra lectio, de officio pastorum, ex probato auctore inseri poterit, per juniorem institutione pastorem, qui etiam in conventibus capitularibus ostiarium aget.

xx. Omnes vero pastores, et præsentés alii sacerdotes, ad silentium et secretum capituli debitum obligati erunt, sub poenâ arbitrariâ.

xxi. Decanis suis pastores et clerici debitam reverentiam et obedientiam exhibeant, ad capitulum vocati compareant, aut legitimas suas excusationes mittant, de vitis, erroribus, defectibus et criminibus interrogati, respondeant, correctiones libenter suscipiant, mandatis obtemperent, inobedientes ac rebelles, quos ad nos deferri volumus, gravi poenâ compescemus.

CC. Germaniæ, Tom. ix. p. 513—516.

SECT. IX.—Diocese of Prague.

ARTICLES OF INQUIRY FOR ARCHDEACONS, *Decans Rurales*, AND OTHER CHURCH-VISITORS OF THE DIOCESE OF PRAGUE, BY ARCHBISHOP ANTHONY DE MUGLITIO, A.D. MDLXV.

ARTICULI ARCHIDIACONIS, *Decantis*, ET CÆTERIS ECCLESiarUM VISITATORIBUS AD BENÈ MUNUS VISITATIONIS PERAGENDUM NECESSARIIS.

NOTIFICETUR omnibus nostræ Pragensis diocesis subjectis clericis, quod nos ipsi, vel per nostros specialiter deputatos visitatores, singulis annis semel singulos tractus visitaturi sumus, et de archidiaconorum, et decanorum visitationibus factis diligentè inquisituri.

Archidiaconi singulas suas parochias bis in anno, si id commodè fieri potest, visitent, vel à decanis rationem visitationis requirant.

Decani bis ad minus in anno subjectas sibi parochias visitent.

Archidiaconi, *Decani*, aut alii visitatores habeant secum notarium, qui omnia singulatim, ac distinctè in visitationibus describat, vel ipsi interrogando singula describant.

In visitationibus convocentur in domum parochi alii presbyteri, si sunt, et aliquot ex civibus, vel oppidanis, seu rusticis, de quibus fama est, eos et catholicos, et probos viros esse.

Istorum singuli singulatim, ac diligentè examinentur, accepto priùs juramento de veritate dicendâ, et de calumniâ, ad quod præstandum laici non sunt cogendi.

Primum de ipso parcho, seu seniori quovis presbytero, diligentè inquiretur, quomodo vivat, et quæ sit publica, de ipsius vitâ, fama: quomodo officio suo fungatur: imprimis autem, an aliqua sit de eo hæreseos suspicio. Hâc eâdem ratione de aliis presbyteris (singulatim tamen) fiat inquisitio.

De omnibus, quæ in unaquâque parochiâ in visitando decant egerint, dent plenam suis archidiaconis informationem. Archidiaconi autem de omnibus fidelitè et exactè ad ordinarium deferant.

Dent operam imprimis archidiaconi, et decant, ut in omnibus ecclesiis sana, et orthodoxa doctrina observetur, doceaturque.

Odia, si quæ sunt, et inimiciæ inter sacerdotes alicujus ecclesiæ, componantur omninò à visitatoribus: si componi non poterunt, is, qui author est ejus dissensionis, puniatur.

Omnes parochi, et alii clerici, jurent coram archidiaconis, vel decant, in proximâ visitatione, quod nunquam velint deserere catholicam, et orthodoxam religionem, et quod semper velint permanere in obedientiâ sui ordinarii, et ejus legitimorum successorum.

Jurent etiam, quod nihil unquam velint ab ecclesiâ quoquo modo alienare, neque oppignorare, sed semper bona ecclesiæ augere; et ea, quæ à se, vel aliis alienata sunt, quantum fieri potest, recuperare.

Curent archidiaconi per suos decantos, ut in visitationibus omnium parochiarum, etiam vacantium, et ab hæreticis occupatarum nomina diligentè describantur, et præbendarum, seu aliorum quorumcunque beneficiorum.

Dent operam archidiaconi, ut singularum ecclesiarum, et præbendarum, atque altarium singulatim omnium redditus describantur, et unde isti redditus percipiantur.

Archidiaconi perquirant, et describi curent redditus recenter ab ecclesiâ alienatos, et quâ ratione, et à quibus alienati sunt.

Curent archidiaconi et decant, singularum parochiarum patronos, seu collatores legitimos, et aliorum beneficiorum describi.

Dent operam archidiaconi, et per suos decantos efficiant, ut singularum ecclesiarum antipendia, pluvialia, ornatus, mappas, calices, patenas, cruces argenteas, candelabra, libros, et cæteram omnem ecclesiasticam suppellectilem, describant diligentè, distinctè, ac fidelitè.

Singularum quoque parochorum, et præbendariorum nomina descripta, cum iis, quæ superius expressa sunt, ad ordinarium ab archidiaconis deferri curentur.

Nomina parochorum, et vitam, mores, an sint catholici, per omnia curent etiam describi.

SECT. X.—Diocese of Ratisbon.

SYNODAL STATUTES OF THE DIOCESE OF RATISBON, ON THE OFFICE OF *Dean Rural*,
BY BISHOP JOHN DE BAVARIA, A.D. MDXII.

QUONIAM *decani rurales* pro singulis plebibus et clericis ideò constituuntur, ut illorum vitam jugi circumspectione custodiant, cleri honestatem, et confratrum utilitatem procurent, excessus eorum referant, mandata nostra, vicarii nostri, et aliorum judicum debitè exequantur, ac singula, quæ mandantur à superioribus, ad notitiam fratrum deducant: quapropter in receptionis principio jurare debent, vel saltem fidem dare loco juramenti, quod sine dolo et fraude præscriptos articulos observare velint, et quod nobis, et successoribus nostris obediētes existant, constitutiones synodales per episcopos Ratisbonenses factas, et per nos approbatas, seu innovatas firmitè observent, et ab aliis confratribus cujuslibet *Decanatus* respectivè jubeant inviolabiliter observari. Omnes insupèr et singulos *Decanos* præsentì statuto juxta sacrorum canonum decreta in testes synodales constituimus, et deputamus in finem et effectum, ut notorios excessus, et præsertim illos, quibus ecclesia scandalizatur, quorumcunque clericorum, infrà unius mensis spatium à tempore notitiæ nobis, seu vicario nostro notificent: si quis verò negligens in hoc repertus fuerit, ab ingressu ecclesiæ suspendatur, et officio *Decanali* ipso facto sit privatus. Præmissis quoque adjicimus statuendo, ut nullus in *Decanum ruralem* nostræ diocesis electus, aut eligendus, per nos, aut vicarium nostrum nondum admissus, et confirmatus, officium *Decani* exercere, aut se *Decanum* nominare quomodolibet præsumat, si quis autem secùs fecerit, ad *Decanatum* hujusmodi inhabilis existat; volumus autem, quatenùs de cætero nullus eligatur in *Decanum*, qui sit aliquo crimine publico diffamatus; alioquin eligentes, sint eà vice potestate eligendi ipso facto privati. Præterea *Decanis* prædictis sub pœnâ suspensionis ab officio et beneficio districtè præcipimus, et mandamus, quatenùs assumptis sibi juratis confratribus sui *Decanatus* singulis annis circa festum omnium sanctorum, vel alio tempore magis congruo, omnes confratres suos in unum locum convocent causâ visitationis habendæ, et hæc statuta synodalia auribus ipsorum tunc seriòsius inculcare procurent, necnon super excessibus eorum inquirant, et sic inquisitos, nostris, seu vicarii nostri auribus deserant infra mensem. Insupèr infra octavas omnium sanctorum cathedralium more solito expostulent, et recipiant. Qui verò cathedralium solvere tenentur, solutionem ipsam faciant *Decano* sub pœnâ dupli in termino præfato, unà cum salariis nuntiorum, ad quemlibet propterea destinatorum. Alioquin contra non solventes, tam ad pœnam dupli prædictam, quam etiam ad alia

juris remedia procedi procul dubio faciemus. Quoniam (quod dolentè referimus) nonnulli sacerdotes contra canonum statuta, cum ad conbocationes decanorum, vel anniversaria principum, exequias, vel peractiones, aut quamcunque aliam vocationem, ad collectam veniunt, sese inebriare, ac aliàs ad bibendum cogere, et ad æquales haustus obligare non verentur in grave scandalum plurimorum, ac animarum suarum periculum; quapropter præsentì statuto singulis decanìs in virtute sanctæ obedientiæ districtè præcipiendo mandamus, quatenùs omnes confratres suos ex parte nostrâ diligentèr moneant, et requirant, ne post peractum divinum ministerium, in contemptum et irreverentiam ordinis clericalis ita, ut præfertur, se inebriare præsumant; sed præmissâ oratione ad necessariam refectionem ad prandium, et tabulas discretè resideant, nec plausus et risus inconditos, fabulasve inanes, aut turpes jocos, ibidè referant, sed unus ipsorum aliquis de sacris literis ad mensam legat: post refectionem vero exemplo Dominico hymnum sive gratias dicat, et se omnes contineant maximè in talibus locis, ut non vituperetur illorum ministerium. Si verò quenquam hoc præsens nostrum statutum violare (ad denuntiationem decanì, quam infra mensem sub pœnâ suspensionis facere tenetur) compertum fuerit, volumus eundem dignâ animadversione ad arbitrium vicarii nostri quam acerrimè puniri.

Decanìs etiam in virtute sanctæ obedientiæ mandamus, quatenùs in singulis conbocationibus collecturam fabricæ ecclesiæ Ratisbonensis diligentèr promoveant, faciantque à confratribus suis eandem cum diligentia temporibus consuetis similiter promoveri. Item quia sæpe contingit res et bona decedentium sacerdotum dissipari, antequam certa ad nos de eorum obitu potest devenire noticia; eapropter universis et singulis decanìs nostræ diocesis committimus, eisque sub excommunicationis pœnâ mandamus: quatenùs statim, postquam de alicujus sacerdotis obitu eis constiterit, autoritate nostrâ omnia bona mobilia et immobilia, sive contingat hujusmodi sacerdotes testatos, sive intestatos decedere, sub ecclesiastico ponant arresto: per hoc enim intendimus ultimas voluntates decedentium clericorum (quatenùs debitè exequantur) manutenere, et ecclesiarum commoditati providere. Et ne invasores hujusmodi rerum, tanquam sacrilegi, impuniti evadant; eos omnes et singulos arrestâ hujusmodi violantes, ex nunc, prout ex tunc sententiam excommunicationis incidere volumus ipso facto, quam etiam in contra facientes ferimus in his scriptis, à qua absolvi non possint, nisi restitutione sufficienti factâ, et de licentiâ nostrâ speciali. Mandantes etiam taliter excommunicatos publicè denunciari, donec meruerint absolutionis beneficium obtinere. Decanì verò, qui in præmissis negligentes extiterint, à nobis impuniti non evadent.

Et postremò, quoniam nonnulli prætextu literarum apostolicarum, quas se impe-

trasse mentiuntur, ecclesiastica beneficia pro tempore vacantia, etiam nonnunquam incompatibilia, sine dispensatione, propriâ auctoritate, seu veriùs temeritate, occupare præsumunt in animarum suarum grave periculum: alii vero vicario, seu provisorio nomine, non obtentâ à nobis animarum curâ, ecclesias regunt; nos volentes hujusmodi periculis animarum obviare, statuimus et ordinamus, ut quilibet Decanus, seu locum ejus tenens, in proximâ confratrum convocatione, post publicationem præsentium, omnes suos confratres, cæterosque presbyteros sæculares et religiosos, infra suum Decanatum, beneficia ecclesiastica inofficiantes, de quorum titulis, investituris, dispensationibus, et animarum curâ sibi non constat, ad ostendendum respectivè investituras, titulos, dispensationes, et curæ animarum commissiones, infra quindecim dierum spatium, sub pœnâ suspensionis à divinis, auctoritate nostrâ requirat, et post lapsum hujusmodi termini rebelles, sive contumaces, suspensos in scriptis denuntiet, ac de cætero nullum ad inofficiandum aliquod beneficium in suo Decanatu, nisi priùs visis literis investituræ, curæ, seu dispensationis hujusmodi, quovis quæsito colore admittat. Quod si Decanus quempiam literas suas, ut præferatur, non ostendentem, in regimine ecclesiastici beneficii scientèr et malitosè tolerare præsumpserit, ipsum, ut suprâ narratur, non suspendendo, ex tunc quindecim diebus à tempore notitiæ elapsis, Decanus ipse suspensionis sententiam incurrat ipso facto. Sit autem forma suspensionis, quam Decani in scriptis ferant, hæc videlicet:—*Quia tu sub pœnâ suspensionis monitus, ut titulum tui beneficii, vel simile, secundum exigentiam ostenderes infra quindecim dierum spatium; hujusmodi mandato non paruisti: idcirco auctoritate mihi commissa, te in his scriptis à divinis suspendo, et suspensum denuntio in nomine Patris, et Filii, et Spiritus Sancti.*

CC. Germaniæ, Tom. VI. p. 82, 83.

SECT. XI.—Diocese of Trier.

STATUTES FOR *Means Rural* OF THE DIOCESE OF TRIERS, BY ARCHBISHOP
JAMES AB ELTZ, A.D. MDLXX.

1. ECCLESIAS omnes parochiales, quæ Decanatûs vestri finibus continentur (quocunque nomine sive jure censeantur, quomodocunque annexæ, sive incorporatæ, et per quemcunque gubernentur, sive per proprium pastorem, sive vicarium, et hunc sive perpetuum, sive amovibilem) cum rectoribus suis Decano et capitulo volumus esse subjectas, nec ulla hic exceptio, aut exemptio valeat. Ut autem certius ecclesiarum

hujusmodi atque rectorum status, vocatio, missioque cognoscatur (quomodo enim, ut ait apostolus, prædicabunt, nisi mittantur) volumus atque decernimus tenore præsentium, neminem ad gubernationem ullius in vestro *Decanatu* ecclesiæ, aut ad docendum, aut ecclesiasticum quodcumque sacramentum administrandum admitti, nec pro pastore, vicario, rectore, aut sacramentorum dispensatore à synodalibus, custodibus, ac populo, ad quem mittitur, agnoscere, ac recipi debere, qui non primum pro tempore *Decano* ostenderit, atque exhibuerit præter literas institutionis, sive commissionis, ad quemcumque ea pertineat, nostrum quoque diploma, sive literas commissionis, approbationisque nostræ, in quibus inter cætera commendationis nostræ documenta professionis quoque fidei mentio expressa fiat, atque simul pro tempore *Decano* præstito primum consueto fidelitatis, et obedientiæ juramento jus *Decanale*, atque capitulare persolverit, quod posthæc declaramus duorum florenorum aureorum, ex quibus dimidiatus florenus aureus capitulo, reliquum *Decano* cedere præsentium tenore decernimus, non obstantibus privilegiis, exemptionibus, et consuetudinibus quibuscunque.

II. Idem quoque servari volumus in iis, si quos ab unâ ecclesiâ ad aliam contigerit forte transferri. Necnon et in religionis, aliisque quibuscunque ecclesiis quomodo-cunque incorporatas regentibus, quos nisi præter literas commissionis ordinarias, et consuetas nostræ approbationis testimonium exhibuerint, et reliqua, quæ supra memorata sunt, præstiterint, nolumus a *Decano*, capitulo, synodalibus, custodibus, populoque pro legitimis rectoribus recipi, atque admitti.

III. Hos omnes ita, ut dictum est, missos, institutos, et approbatos volumus per *Decanum* bis singulis annis temporibus idoneis, et ad hoc præfinitis, vel à nobis præfinitis convocari ad *congregationem capitularem*, à quâ nemo omnium abesse debet sub pœnâ quatuor florenorum aureorum, quorum unus nobis, secundus archidiacono, tertius pro tempore *Decano*, quartus capitulo cedat, nisi absentiae ejusmodi allegentur causæ, quæ definitioribus, et quatuor aliis pastoribus concapitularibus per *Decanum* et definitores nominandis rationabiles probentur.

IV. In *congregatione* autem capitulari prædictâ post sacrum de Spiritu Sancto, *Decano*, vel alio ejus nomine, et præscripto celebrante, et duobus ex pastoribus diaconi et subdiaconi vice fungentibus, decantatum, primum exhortatione temporis, loco, et personis accommodatâ, per *Decanum*, sive alium à *Decano* nominandam ex dignioribus pastoribus habitâ mox inquisitionem diligentem fieri volumus, tum de moribus et vitâ pastorum, ac rectorum, tum de officio cujusque pastoralis in administratione ecclesiarum, et sacramentorum, et breviter nunc quidem juxta capita ejus instructionis, quæ *Decanis* et pastoribus à visitatoribus relicta est (quam instructionem volumus singulos ad omnes *congregationes* adferre, et pro tempore *Decanis* exhiberi,

atque diligentissimè per singulos articulos examinari) deinde verò juxta statuta capitularia, ubi à nobis fuerint perfecta, ac confirmata.

v. Si quis pastor, sive rector etiam in ecclesiâ suâ residens, sive propter populi multitudinem, sive propter quamcunque aliam causam assumere velit vicarium, sive sacellanum adminicularium, eum non priùs concionari, aut alia pastoralia munera volumus exercere, quam habeat à nobis approbationis, et sufficientiæ testimonium, quod et pro tempore detantis, ac deinde in primâ capituli congregatione exhibere teneatur.

vi. In hâc quoque congregatione id volumus diligenter, ac severè servari, ut pastores, atque rectores omnes fideliter exponant, ac referant, num inter suos habeant criminosos, scandalosos, ac præcipuè hæreticos. Nam sicubi tales sint, eos decanus primo quoque tempore ad nos inter alia congregationis acta referendos curet. Interim verò, si quid eis humanitùs acciderit, ut si mors eos fortè contigerit, præcipimus tibi decano, atque omnibus pastoribus tui capituli sub gravi indignatione nostrâ, ne quem eorum, quos constiterit in hæresi ex hâc vitâ decessisse, ad ecclesiasticam sepulturam, aut ecclesiastica suffragia, exequias, vel oblationes admittere præsumatis. Non enim, qui vivus contempsit fidelium communionem, mortuus cum eis communem sepulturam meretur.

vii. Ut autem etiam venienti morbo occurramus, et futurum antidotum contra hæresim, quâ nulla est pestis perniciosior, comparemus: cum non minus lectio librorum, quam auscultatio verborum fidei sanitatem inficiat, et corrumpat, nolumus ullum librum vendi, aut venalem exponi, nisi permissu pastoris ejus loci, ad quem libri venales deferuntur. Curent igitur pastores, ut habeant indicem librorum prohibitorum auctoritate Concilii Tridentini (quem observari integrè volumus) et juxta regulam decimam examinent catalogum librorum, qui vendendi sint, si approbandus videtur, subscribant suâ manu: alioqui librarius, aut venditor, qui sine licentiâ et approbatione pastoris libros venderit, aut alteri legendos tradiderit, amissione librorum mulctetur. Quod si pastor in re ambigua dubius hæreat, ad decanum referat, qui si nec ipse difficultatem explicare queat, consilium decani facultatis theologicæ, qui in nostrâ universitate Trevirensi est, sequatur.

viii. Postremò, ne quis negligentiae aut impunitati locus relinquatur, volumus, ut singulis annis decanus, quandò maximè commodum ei videbitur, semèl decanatum suum circumeat, nobisque factæ visitationis per literas rationem reddat, præsertim si quid contra præscripta generalis visitationis, aut statuta tradenda commissum invenerit, omnesque pastores, ecclesias, atque cœmeteria coram visitet, et juxta instructionem sibi ac illis à visitatoribus relictam, aut statuta tradenda decanatûs

inquisitionem faciat, synodalia jura, et auctoritatem conservet, eosque ad strenuè ac fortitè munere suo fungendum hortetur, ac denique computationi fabricarum hospitalium, non quidem ut intersit (quod intelligimus *decano* nimis difficile, et molestum) sed jam rite factæ, à quibus fieri debet, et per pastorem loci, aut rectorem approbatæ nostro nomine subscribat, omnemque iniquitatem in ea prohibeat.

ix. Ut autem *decanus* tres aureos florenos, qui pro tempore *decans* à decedentibus pastoribus debentur, faciliùs accipiat, nemo hæreditatem, aut quæcunque bona defuncti adeat, nisi priùs constiterit, satisfactum *decano*.

x. Cæterum ne tantæ rei executionem, quæ ad cultum Dei et ad communem salutem imprimis pertinet, ulla difficultas impediat, aut etiam retardet, mandamus præsentium tenore officialibus, et fiscalibus nostris, ac quibuscunque officionatis, ut quum à *decano* vel capitulo in supradictis omnibus et singulis requisiti fuerint, *decans* assistant, opem et auxilium ferant, neve quicquam, quod observationi aut executioni quocunque modo adversari possit, obsistere patiantur. Rebelles verò suspensione ab officio et beneficio, etiam carceris, si opus fuerit, pœna in ordinem et obedientiam redigant. Reliquos vero capitaneos, balivos, et officionatos, quocunque nomine appellentur, qui spiritali nostræ jurisdictioni parent, hortamur, et paternè in Domino requirimus, ut ipsi quoque fide et diligentia suâ hæc decreta nostra ob communem utilitatem edita, tueri, et *decans*, atque animarum suarum pastoribus auctoritate et favore suo adesse non graventur. Datæ in civitate nostrâ Treverensi, die octavâ mensis Aprilis, anno MDLXX.

CC. Germaniæ, Tom. VII. p. 605—607.

SECT. XII.—*Diocese of Worms.*

DUTIES OF *Archpresbyters* *Mutual* OF THE DIOCESE OF WORMS, UNDER BISHOP SIMON RUDNICKY, A.D. MDCX.

Archpresbyteri dignitatem adepti imprimis habere debent notitiam limitum *archipresbyteratuum* suorum, numerumque ecclesiarum ad eosdem pertinentium, et quibus in locis sitæ sunt, sub quibus patronis, quot villas, quotque parochias ad suam jurisdictionem spectantes habeant.

Semèl in anno, visitatione videlicèt *archipresbyterali* priùs peractâ, ecclesiarum parochos in locum aliquem commodiorem convocabunt, præmissaque missâ cantatâ

de Spiritu Sancto, atque exhortatiunculâ aliquâ factâ, conventum archipresbyteralem celebrabunt, in quo de scandalis amovendis, ac de occurrentibus negotiis ecclesiasticis mutuò cum parochis conferent, et si qui scandalosi, atque reprehensione digni reperti fuerint, eos diligenter monebunt. Majora verò scandala, si quæ fuerint, quibus ipsi obviare non potuerint, nobis, vel vicario nostro generali deferre sint obligati.

Ipsorum erit etiam in suo districtu archipresbyterali visitoribus generalibus à nobis deputatis comites sese exhibere, et executioni omnia, quæ in memoratis visitationibus ab ipsis, vel potius à nobis ordinata fuerint, diligenter mandare, quod si ex parochis in executione dictorum negligentes, vel contumaces fuerint, aut etiam ordinationes præfatas glossis quibusque impertinentibus et injuriis notare in margine, ac maculare ausi fuerint, præter pœnam carcerum, quam ad beneplacitum nostrum subire debebunt, etiam arbitrariis pecuniariis pro qualitate verborum, et injuriarum irremissibiliter subjiçantur.

Mandata nostra, et quoscunque processus ad ipsos directos parochis vicinis intimare, et executioni omnia opportunè demandari curabunt.

Semel in anno ecclesias et parochias visitantes, intelligent, quomodo per suos parochos cultus divinus peragatur, an circa ecclesiam ciborium, baptisterium, olea sacra, et similia suo ordine et decore omnia ad præscriptum visitorum nostrorum consistent; quomodo sacramenta administrentur, an forma, et materia ritè servetur, an pueri sine baptismo, et adulti, absque aliis sacramentis necessariis moriantur, an in administratione sacramentorum, et aliis ritibus agendis diœcesis, et libris à nobis approbatis utantur; an missæ, quas concio, et processio præcedere debent, dominicis et festis etiam celebribus pro more et consuetudine ecclesiarum habeantur; an aliqui ex parochianis in Paschate confessionem, communionemque sacram intermiserint, an in confessionibus excipiendis cautiones debitè adhibeantur, an officia divina, ad præscriptum Missalis Romani et Breviarii decurrant. Secùs enim si quos fecisse animadverterint, ad nos, vel officialem nostrum deferant.

Item, curabunt, ne parochiani signum Sanctæ Crucis, Orationem Dominicam, Salutationem Angelicam, Symbolum, et Decalogum ignorent.

Intelligent etiam de vitâ et moribus parochorum, de frequenti ipsorum celebratione, et an debitâ reverentiâ et confessione, quantum probabile est, opus esse, præmissa faciant sacra: an in consecratis ecclesiis, vel cum indulto in non consecratis celebrent, portatilibusque in altaribus violatis, aut enormiter factis in defectu consecrationis utantur, et an horas canonicas debito tempore, etiam in itinere recitent. Denique etiam eorum erit parochorum sibi subjectorum confessiones excipere, vel

alicui alteri viciniore et doctiori id ipsum committere, ita ut omnibus de idoneis confessariis prospiciatur, in quo ipsorum conscientias oneratas esse volumus.

Curabunt semper de successu, de cursu visitationum archipresbyteralium suarum informationem debitam, et sufficientem habeamus, et si quæ graviores exorbitantiae currunt, literis suis aut vivâ voce nos certiores faciant.

Inquirent etiam de parochorum proventibus, an librum reddituum, et proventuum suorum, atque bonorum, beneficiorumque in ecclesiâ suâ fundatorum habeant, an vicarii et beneficiati officio suo satisfaciant, an aliquid ab ecclesiâ sit alienatum, quo tempore, et per quem.

Inspicient etiam parochialia ædificia, an sarta tecta parochis tradita in debito esse conserventur, an parochiani hâc in parte ultra debitum et posse ab ipsis graventur, an ea perire omninò permittant, et collabi.

Inventaria domorum parochialium exhiberi sibi curabunt, videbuntque, an omnia inventario illata salva et integra existant, et si quæ sunt nulli usui, vel quæ diu durare non possunt, taxatione per viros præcipuos parochiæ facta pecuniis distrahant, easque inventario inscribant.

Fraternitatum tam sæcularium, quam spiritualium statuta videant, et examinent, et si qui articuli fuerint ejusmodi, ut non videantur esse ferendi, de iis, ut eos aboleamus, et alios in ipsorum locum substituamus, ad nos referant.

Quod si fortè in aliquâ ecclesiâ confluxus hominum et frequentia certis anni temporibus ex consuetudine vel indulgentiis, aut miraculorum in eo factorum gratiâ fieri solet, moneant parochos, ut, quam fieri potest, diligentissimè ad concionandum se præparent, vel si sibimet ipsis insufficientes ad hoc videbuntur, saltem de aliquo idoneo et docto concionatore tunc temporis provideant.

CC. Germaniæ, Tom. ix. p. 133, 134.

Prussia.

SECT. I. 1.—Diocese of Culm.

DUTIES OF Archpresbyters Rural IN THE DIOCESE OF CULM, UNDER BISHOP LAURENCE GEMSICK, A.D. MDCV.

Archipresbyteri, qui alibi decant rurales vocantur, delecti sunt ex sacerdotum cœtu, quasi oculi nostri et cæterorum inspectores, ut non modò ecclesias, quas ipsi obtinent,

piâ solitudine gubernent; verùm etiam in presbyteros, præcipuè in parochos, qui per minores titulos habitant intra terminos cujusvis archipresbyteratûs, assiduè oculos habeant intentos, eorum vitam et mores inspiciant, et tanquam solliciti rectorum inspectores et magistri, sine intermissione vigilent, ut nec in plebe, nec in sacerdotibus sibi commissis aliquid aut indecorum aut flagitiosum appareat, utque parochi ritè et legitimè officio suo perfungantur, curamque animarum rectè administrent.

Ac imprimis ipsis in Dei nomine injungimus et mandamus, ut ad minimum semèl in anno ecclesias, earumque rectores visitent, et de omnibus tam ad rem ecclesiasticam, nimirum dotationem, redditus, suppellectilem, quam ad parochorum vitam pertinentibus diligentissimè inquirent, provideantque et satagant, ne quâ in re ecclesiæ illæ vel in temporalibus, vel in spiritualibus, detrimentum patiantur.

Porro perlustratâ regione sibi commissâ, bis in anno convocent clerum, præmissoque sacro de Spiritu Sancto, oratione gravi admonebunt de iis, quæ à quoquam aut negligi, aut contra officium fieri cognoverint, tum constitutionum synodaliùm, divinæque Legis, ac sacrorum canonum præscripta, ipsis diligentèr inculcabunt, ac hortantur, ut si qui in ea peccaverint, delicta corrigant, ac in viam redeant. Et idcirco confessiones eorum vel ipsi excipient archipresbyteri, vel cuique suum assignabunt confessarium, quem ita assignatum, non verò alium, adire tenebuntur, ipsique peccata religioè confiteri. Graviora autem delicta, et scandala, quibus ipsi suâ admonitione, vel correctione et impositione pœnitentiæ pro qualitate culpæ, mederi non poterunt, ad nos, sive officialem nostrum, sive scripto, sive ore tenus, sine morâ deferent, ut in contumaces sacerdotes juxta canonum præscripta, gravioribus pœnis animadvertatur.

Diligentèr quoque invigilabunt, ne quid in illorum districtu adversus fidem aut pietatem emergat, qui non statim nos certiores reddant, ut si quis sub eorum curâ parochus, vel alii sacerdotes, aut scholæ rector, in articulis Catholicæ fidei aliquid peregrinum sapiat, et alienum ab ecclesiæ Romanæ doctrinâ, si quis curiosius de fide disputet, et simplicibus injiciat scrupulos, ne id latiùs serpat, et animos simplicium in errorem inducat, maturè auctoritate nostrâ provideatur. Itaque eâ diligentia, quâ debent, et tenentur, nobis ejusmodi personas manifestabunt. Moneant itidem sacerdotes, ut si quandò in disputationem aliquam cum hæreticis, aut eorum ministris ipsis descendendum sit, id cautè et sobriè, locis idoneis, non in comessionationibus, faciant; à jurgiis et contentionibus prorsùs abstineant, sed veram doctrinam catholicam Scripturarum, sanctorum Patrum, Conciliorum œcumenicorum, et venerandæ antiquitatis auctoritate confirment.

Provideant etiam, ne vagi sacerdotes sive regulares, sive sæculares, in ecclesias nostras sese obtrudant, ne quis parochorum aut commendariorum etiam, aut quo-

rumvis sacerdotum ad curam animarum, administrationem sacramentorum, predicationis officium, ministerium altaris, admittatur, sine prævio examine, et nisi sufficientè probaverit, se legitimè ordinatum esse, probatæque fidei sacerdotem, neque ulli pro capellanis aut vicariis recipiantur, nisi priùs nobis, aut officiali nostro fuerint præsentati.

Inquirent etiam diligentèr, quomodò hospitalia et capellæ, ex quibus aliquæ elemosynæ colliguntur, administrentur, et quam honestè vitam pauperes in ipsis ducant, dabuntque operam, ut rationes ex administratione eorum, in præsentia parochi quotannu, ab iis, quibus commissæ sunt, etiam ipsi visitatori reddantur. De indulgentiis etiam diligentèr inquirent, et, si fortè abusus aliquos in illis reppererint, vel ipsi tollent, vel nos de ipsis informabunt. Maximè autem vetabunt coitiones et comessiones sacerdotum, quas in patrociniis et dedicationibus ecclesiarum fieri intelligimus.

Providebunt etiam, ut parochi nunquam ab ovibus suis recedant, sed perpetuò apud ipsas resideant, et in pastoralia munia diligentèr incumbant; quapropter in omnibus suis tam visitationibus, quam congregationibus nostro nomine id ipsis denuntiabunt, ne per totum annum ultra mensem quisquam ab ecclesiâ suâ se absentet, sine nostrâ, vel officialis nostri licentiâ, quæ ex justis causis non gravatim concedetur, et in scriptis extradi mandabitur.

Ad archiepiscopos quoque curam ac solitudinem pertinet, ut in scholis parochialibus juvenus in omni pietate, ac morum integritate rectè informetur et institutatur. Qualis enim illius à primis annis institutio fuerit, tales ecclesiis Dei suppeditabuntur ministri. Quaproptèr dum parochorum curæ suæ commissorum, visitationem obibunt, simul etiam de rectorum scholæ vitâ, moribus, doctrinâ, ac quid juventuti, cujus erudiendæ curam gerunt, proponere soleant, diligentèr inquirent. Commonefacient autem eos seriò, ut ipsis catechisticam lectionem quam sæpissimè proponant, fidei articulos eosdem edoceant, et explicent.

Porrò quæ de officio archiepiscoporum nostrorum hic scripimus, ita esse scripta volumus, ut ea, quæ ex sacris canonibus, quæque ex præscriptis informationibus visitandi, et muneris sui obeundi, tam ab antecessoribus nostris, quam à nobis ipsis jam ante data sunt, non excludamus.

CC. Germaniæ, Tom. VIII. p. 661, 662.

SECT. I. 2.—Diocese of Culm.

DUTIES OF Archpriests or Foraneous Deans, AND OF Decanal Conventions, IN THE
DIOCESE OF CULM, BY ANDREW STANISLAUS KOSTKA, BISHOP OF CULM, &c.
A.D. MDCCXLV.

OFFICIUM decanorum, quam utile et honorificum sit in ecclesiâ Dei, inde patet, quod ii archipresbyteri, id est, primi presbyteri, et presbyteralibus officiis eminentes nuncupentur. Sunt tamen nonnulli, qui tam honorifici muneris immemores, ea, quæ sui sunt officii, ita negligunt, ut illa quasi penitus ignorare videantur, ut igitur illos, eosdemque decanos abhinc in exequendis muneribus suis diligentes ac sollicitos habeamus, iis omnia, quæ decanali officio congruunt, huic synodo inserenda duximus. In Constitutionibus Dzialinianis tit. *de Visitat. et Congregationibus per archipresbyteros faciendis*, satis prolixè enarrantur archipresbyterorum munia, quæ præsentibus, ac si hic expressa forent, de verbo ad verbum assumimus, et innovamus. Noverint præterea DD. archipresbyteri sive decani se commune archidiaconorum et æconomi officium exercere, adeoque se per decanatus quasi quosdam speculatores esse constitutos, ut propinquiùs observent et explorent vitam, mores, et actiones cleri, suæ animadversioni commissi, ac proinde si quem à recto statûs et officii sui tramite declinantem audiverint, et compererint, primò illum privatim inter se, et illum ipsum fraternè admoneant, deinde si se non emendaverit, in congregatione coram senioribus confratribus reprehendant, si autem nec monitus, nec reprehensus à malo vel negligentia suâ destiterit, tùm cum summaria informatione illum ad nos, aut officialem nostrum generalem deferant.

Si quis de clero inhonestè vixerit, foeminas suspectas domi suæ, aut extra foverit, vel tales cum forti suspicione et populi scandalo visitare, aut tabernas et hospitia ad compotandum, vel choreas ducendas adire consueverit; si quis cum mulieribus in uno curru discedere; si quis ebrietati deditus eidem frequenter indulserit, aut pecuniam suam in usuram dederit, sive infamem simoniæ labem commiserit; si quis suppellectilem sacram, præcipuè in auro et argento, et pretiosiore etiam in rem et necessitatem suæ ecclesiæ citra expressam à nobis obtentam in scripto facultatem oppignoraverit, vendiderit, vel alienaverit; si quis in administratione sacramentorum ita negligens vel tardus fuerit, ut ipsius culpâ, aut infans sine baptismo, aut adultus sine pœnitentiæ, eucharistiæ, et extremæ unctionis sacramento (quod Deus avertat) moriatur; si quis sacramentum matrimonii subditis alterius parochiæ, non habitâ priùs à proprio illorum paracho licentiâ administrare præsumperit, aut ab ecclesiâ

frequentè sese absentaverit; si quis etiã si penès suam ecclesiam resideat, officia tamen divina præcipuè ad instructionem populi conciones, et catecheses, nec per se, nec per substitutum peragit; si quis obligationes missarum ex fundatione non adimplet, jura, decimas, census, aliosque proventus ecclesiæ suæ vigore juramenti circa institutionem sui præstiti vindicare aut negligit, aut de anno in annum retardat; si quis ecclesiam, cui præest, ædificiaque plebanalia in desolationem tendere permittit, ruinis tempestivè non occurrendo, nec sarta tecta pro posse conservando, aut, quod pejus est, bona, ædificia, fundos, proventusque ecclesiasticos (quorum non dominus, et hæres, sed administrator et dispensator est) dissipat et dilapidat. Si qui DD. hæredes, et possessores bonorum, novas colonias introducendo homines acatholicos fundant, aut Judæi mulieres Christianas in obsequiis suis fovere, dies festos violare præsumant, talem sive tales, iisdemque similes quilibet *Decanus* ex suo *Decanatu*, imo etiam ex vicino, si ille negligens fuerit, ad nos, vel officialem nostrum generalem quantociùs deferre tenetur.

Ut autem quilibet *Decanus* super hactenus enumeratis, et similibus possit se priùs, et deinde nos debitè informare, de facili id assequetur, si bonam et fraternam cum *condecanalibus* suis tenuerit semper cointelligentiam, et correspondentiam, sed et ex alterâ parte tam parochi, quàm alii, quicunque commendarii, vicarii, ministri ecclesiarum, imò universus illius *Decanatus* populos oportet, ut *Decanos* suos convenienti honore prosequantur, debitamque illis obedientiam præsent, nihil eos celando, sciscitabuntur pro suo officio, quinimò, si quid certi cum gravi offensâ Dei, injuriâ ecclesiæ, aut proximi aliquis sciverit, eidem non odio personæ, sed amore justitiæ deferre tenetur.

Convocabit quoque prævio processu quilibet *Decanus* omnes, quoscunque sui *Decanatus* beneficiatos directores scholarum, cantores, organarios, et alios ecclesiarum ministros, pro congregatione *Decanalî* bis in anno celebrandâ, scilicet post Dominicam secundam post Pascha in crastinum, et post primam Dominicam Octobris, die post Dominicas nominatas non impeditâ, idque observato turno ecclesiarum. Cantatâque missâ pro defunctis confratribus, et alterâ de Spiritu Sancto post orationem sive discursum ordine per singulos parochos habendum de causis et fructibus harum congregationum præhabitu mutuò conferat cum fratribus de occurrentibus negotiis, aut necessitatibus ecclesiarum, et ecclesiasticorum, tùm de moribus, honestate vitæ parochorum, aliorumque presbyterorum in *Decanatu* suo existentium, de curâ animarum, administratione sacramentorum, decore ecclesiarum, ministrorumque ecclesiæ, cujuslibet sobrietate, et in servitiis diligentia, præcipuè autem, an decretis præsentis synodi et ordinationibus in visitationibus præscriptis satisfactum fuerit.

In literis innotescentialibus pro futurâ congregatione intimandâ, proponantur per Decanum loci tres quæstiones morales, seu casisticæ, ut quivis beneficiatus suam desuper in scriptis resolutionem in phylrâ connotet, non ut tota impleatur, sed ut postea in unum volumen redigatur, quas resolutiones nominibus et cognominibus suis subscriptas secum adferent, publicè in congregatione prælegendas, quas Decanus suâ resolutione concludet, ac omnium scripta folia cum punctis, et quæstionibus ad se recipiat, et ad officium nostrum unâ cum sermone dicto remittet. Præterea, si quempiam scandalosum, notoriisque excessibus, sive defectibus, minoribus tamen (maiores namque excessus supra numeratos illisque similes nostro, officiique nostri iudicio totalitè reservamus) accusatum et convictum habuerit, eundem in congregatione Decanali priùs monitum, et correctum, tandem levioribus pœnis afficiat, si autem à malo, et pravo habitu non destiterit, eum in relatione, quam nobis, sive officio nostro ex quâlibet congregatione in scriptis transmittere tenebitur, cum summarîâ informatione deferat puniendum.

Quia verò compertum est, quod aliqui ex parochis pro oleis sacris, et rubricellis tardissimè recurrere solent, opportunum duximus, procurationis ejusmodi negotium Decanatis locorum committere. Unde quatenus iidem factâ super hoc in congregatione cum confratribus conferentiâ, eorumque præmonitione pro sacris quidem oleis circa festum Paschæ presbyterum ex quovis Decanatu per turnum, pro rubricellis autem ad initium cujuslibet anni, cursorem tempestivè mittant, illasque et illa inter clerum, et ecclesias sui Decanatus salvâ refusione expensarum, et vialium distribuant.

Attendat insuper unusquisque Decanus, si fratres in legendis, canendisque missis rubricas et cæremonias observent, et an cantum Gregorianum, tam illi, quàm ecclesiarum ministri calleant, ne inordinato cantu audientium aures offendant.

Rituale ecclesiæ, catechismum Conc. Trid., libellum evangeliorum præter alios libros morales, et ad prædicandum verbum divinum necessarios superiùs insinuatos, an singuli habeant, et breviarium integrum, videat et revideat, non habentes puniat, et ad comparandum citra ullam dilationem urgeat, ac inducat.

Similitèr ad congregationem non venientes, nec justas absentis suæ causas literis nuntiisve exponentes multâ pecuniariâ, parochos decem marcarum, vicarios quinque puniat, quæ multa cedat pro fabricâ ecclesiæ illius, ubi congregatio celebrabitur. Si autem secundâ vice absentes fuerint, sciant se gravioribus subjiciendos pœnis, et contra tales instigatori officii actionem committimus.

Finitis verò, aut si ante prandium finiri non poterunt, dilatis post meridiem occurrentibus negotiis, omnes simul in domo Decani, sive parochi, quem turnus tetigerit, prandium sument quam frugalissimè paucis ferculis contenti, item in

bibendo sobrietatem omnimodam observabunt. Tempore mensæ legatur aliquis liber spiritualis.

Si quis autem sub tempus congregationis de ebrietate, rixis, contentionibus, excessuque aliquo scandaloso convictus fuerit, is à Decano ab officio et ordine suspensus declaretur, et ad nos pro absolutione remittatur. Ministri autem ecclesiæ laici carcere, aut verberibus pro qualitate excessus, et delicti, ex mandato Decani irremissibiliter puniantur.

Sumptâ refectione iterum omnes insimul ad ecclesiam redeant reinduti superpelliceis, et si quæ adhuc habent tractanda, expedienda, et definienda, tractent, expediant, et definiant, actaque congregationis à Decano, et consiliariis subscripta ad nos, sive officialem nostrum generalem per certum nuntium transmittant, suamque congregationem per solenne *Te Deum laudamus*, et præmisso versu *Benedicamus Patrem et Filium*, &c. per Orationem de Sanctissimâ Trinitate, cum alterâ pro gratiarum actione terminent, ac tandem eâdem die ad ecclesias suas revertantur in pace.

Officiû præterea decanorum est, visitare omni anno singulas sui Decanatûs ecclesias, præmonitis antecedentèr sive per processum, sive per literas illarum rectoribus, quem taliter præmonitus quilibet præpositus, parochus, aut commendarius cum vicario ac ministris ecclesiæ domi suæ expectare, illumque cum omni quidem civilitate, hospitalitate, ac debitâ reverentiâ, et obedientiâ, tanquam Decanum suum et commissarium nostrum sub pœnis pro qualitate culpæ, aut inobedientiæ irremissibiliter extendendis suscipere tenebitur, non tamen solemniter pulsatis campanis ad ecclesiam introducere, quod nobis tantum, nostrisque visitatoribus reservamus.

Sub illud igitur tempus præsentis suæ non solum supellectilem, et ornamenta, ordinem et decorem in ecclesiâ, et circa illam munditiem sacrarum linteaminum, præcipuè corporaliû, purificatoriorum subpallorum, an cum inventario concordet, sed etiam fructus omnes, fundos, redditus, proventus, possessiones, jura, privilegia, dotes beneficiorum, inscriptiones summarum diligentèr connotet, maximè autem de vitâ et conversatione sacerdotum, ac de scandalis et excessibus notoriis inter parochianos utriusque sexus inquirat, et defectus omnes tam in spiritualibus, quam temporalibus rebus accuratè et exactè describat. Visitationes suas ad nos, officiumque nostrum remittat, et super omnibus præmissis informet.

Præterea ad illorum officium spectare dignoscitur, de vacantibus quocunque modo ecclesiis, nos, aut officium nostrum quantociùs certiores reddere. Proinde, cum Decanus inaudierit aliquem ex clero condecanaî graviter infirmari, eundem personaliter visitet, et ad sumenda tempestivè sacramenta, ac testamentum faciendum spaviter inducat. Quod si quempiam ex clero sui Decanatus diem ultimum obire contigerit,

ad id denuntiandum citra ullam dilationem decano vicinus illi defuncto parochus cum expressione, testatusne, an intestatus decesserit, tenebitur. Quo facto, si ille testatus decessit, monebit decanus executores, ut quamprimum ad locum loci descendant, factâque circa corpus defuncti dispositione, ante omnia adhibitis saltem duobus testibus, inventarium tam jurium, et supellectilis ecclesiasticæ, quam rerum defuncti revideant, ac verificent, aut, si non est confectum, conficiant, atque cum testibus subscribant, rebusque obsigillatis, ac sub fidei custodiâ relictis cum inventario et testamento pro approbatione illius procurandâ, ad nos, sive officialem nostrum generalem recurrant.

Si verò quispiam de clero intestatus decesserit, tunc ipsemet decanus ea, quæ suprâ, adimpleat, et confectum derelictorum inventarium aut ipsemet afferat, aut quamprimum per expressum nuntium ad nos, vel officium nostrum transmittat, expectans tantispër nostram dispositionem. Qualitercunque etiam vacaverit ecclesia, ipse interl'm decanus, (Decano autem mortuo vicinior parochus hæc, et supradicta peragat) omni meliori modo ipsi in temporalibus et spiritualibus providendo, donèc nuntio delato nos, sive officium nostrum per datam commendam alitèr disposuerimus.

Sicuti autem decanos, quasi vicarios foraneos in partem solitudinis nostræ assumimus, et per eos universæ diœcesis prosperitatem, ac pericula contemplamur: ita eosdem speciali reverentiâ ab omnibus volumus honorari. Quapropter quæcunque ex vi officii sui, suis in decanatibus ad mentem synodi præsentis, aut sacrorum canonum præceperint, iis omninò à clero decanali obtemperandum decernimus. Sanctâ et salubri cogitatione exorandi pro mortuis permoti, statuimus quoque auctoritate præsentis synodi, ut quotiès in decanatu contigerit aliquem sacerdotem mori, extunc decanus extraditis ad primam notitiam literis, universum decanatus sui clerum in virtute hujus statuti synodalis requirat, quatenùs pro animâ confratris parochi duas missas cum officio defunctorum, pro animâ autem vicarii unam missam, ut primùm poterit commodè, quilibet absolvat, similia post fata sua habiturus suffragia.

Statuimus præterea, ut nullus beneficiatus à quopiam alio, nisi ab ipsomet decano suo foraneo, aut si decanus justam impedimenti legitimi habuerit excusationem à designato ad hunc actum condecanali parochi datis ad eundem ab ipsomet decano literis introducatur in præsentia executorum antecessoris, qui juxta inventarium à decano, et executoribus, sive duobus ad minimum testibus, ac demùm à seipso subscriptum, et priùs fidelitèr revisum ecclesiæ et domûs plebanalis supellectilem, resque omnes derelictas cum augmento aliquo præteriti inventarii recipiet. Cujus inventarii exemplar unum manebit in archivio ecclesiæ, aliud à decano et novitèr installato paritèr subscriptum, quilibet beneficiatus intra unum mensem post suam introduc-

tionem ad nos, sive officium nostrum sub pœnâ 20 marcarum per instigatorem officii urgendâ referre, et penès acta relinquere tenebitur.

Meminerint quoque *Decani* admonere suos parochos, quatenus unusquisque intra limites suæ parochiæ cruces in viis publicis venerationi fidelium expositas, et vetustate aut ventorum vi collapsas, sive quocunque modo deformatas, tolli curet, novis in illarum locum substitutis, ne per hunc memoriæ Passionis Dominicæ neglectum inter Judæos et hæreticos abundet scandalum.

Ut autem eo diligentius, et citra ullum respectum personarum officium suum obeant illos circa sui institutionem ad *Decanatum* juramentum corporale juxta rotham et formam juramenti à nobis præscriptam et hic appositam præstare debere ordinamus.

JURAMENTUM Archipresbyterorum, sive Decanorum.

“ Ego *N.* spondeo ac juro, &c.”

Quia verò ad præsens aliqui inveniuntur *Decani*, qui non sunt archipresbyteri, ideò salvis modernis possessoribus, in futurum munus *Decanorum* ad solos archipresbiteros debere spectare declaramus. Quos speciali favore prosequi volentes tam archipresbiteros, quam *Decanos*, qui officium *vicariorum foraneorum* sustinent, semel pro semper durante illorum officio ad audiendas confessiones approbamus, et facultatem etiam à casibus reservatis sedi ordinariæ absolvendi, et apparamenta pro ecclesiis sui districtus, ubi non intercedit sacra unctio, benedicendi, hæc synodali constitutione impertimur.

CC. Germaniæ, Tom. x. p. 521—525.

Switzerland.

SECT. I.—Diocese of Sitten.

DUTIES OF Rural Vicars IN THE DIOCESE OF SITTEN, OR SION, UNDER BISHOP HILDEBRAND JOST, A.D. MDCXXVI.

MULTUM situm est in officio *vicariorum ruralium*, ut episcopus variis distantis negotiis, per eos nonnihil sublevetur, clerus, populusque supra et infra *Morgiam* in officio contineatur, cultus divinus augeatur, virtus excolatur, vitia tollantur, novem proinde per nos, vel nostrum vicarium generalem in spiritualibus, et temporalibus omninò *vicariis rurales* eligentur probatæ vitæ, et eruditionis, magnæque experientiæ

vir. Electi se quamprimum nobis sistent, pro faciendâ fidei professione, pro præstando obedientiæ et fidelitatis juramento, ac denique pro accipiendâ vicariatus ruralis confirmatione, sine quâ nemini fungi officio tali permittimus. Officium ejusmodi vicariorum erit quotannis semel capitulum cum confratribus celebrare; illis constitutiones synodales prælegere, ortas subinde in eis intelligendia, vel ad praxim redigendis difficultates explicare, gravaminibus cum ecclesiasticorum, tum laicorum occurrere, consulere, sublevare, in vitam, mores, doctrinam, et munus cleri, populi que inquirere, ecclesias, sacram suppellectilem, prædia visitare, in census beneficiorum, decimasque inquirere; hospitalia, ac eorum jura et proventus diligentè inspicere, clericorum ædes et familias studiosè lustrare; defectus et excessus minores corrigere, majores verò, cujusmodi sunt scandala, hæreses, lectio vel retentio librorum prohibitorum ad nos referre. Omnes suæ jurisdictionis ecclesias annis singulis obibunt, quid cuivis loco desit, annotabunt, minora reformabunt, majora nobis commendabunt, quid denique in annuâ visitatione fecerint, quid notaverint, quid improbaverint, approbaverintve, quid emendaverint, vel emendandum duxerint, id omne scripto clarè, perspicuè, succinctè, atque sincerè comprehensum nobis actutum repræsentabunt. In negligentes gravitèr animadvertemus. Caritas exigit, ut confratres tanquam membra de membro mutuò se foveant in Christo, mutuò amplectantur, sibique opulentur, cujus rei specimina crebriora dabunt, ut sit ecclesiasticorum cor unum, et anima una, sicut est omnium sponsa una Christi ecclesia. Anteibit omnibus exemplo quivis vicarius in districtu suo, maximè cum aliquem ex confratribus suis morbo laborantem intellexerit, ut eum invisat, soletur, ei necessaria, cum spiritualia, tum temporalia subministret, ut omnes intelligant ecclesiam Dei ministris suis novercam non esse, sed matrem, charitatemque in ecclesiasticis ad se mutuò fovendos ac juvandos, usque ad extremum vitæ spiritum, vulgarem non esse. Ita fiet, ut clerus, et populus ubique locorum, non parùm ædificetur, et ecclesia Dei miris laudibus extollatur. Vicariorum denique erit nos, vel fiscum nostrum quantociùs certiore facere de morte defuncti curati. Ante omnia meminerint justorum defuncto persolvendorum, ut nihil desideretur, advocatis aliundè aliquot ex confratribus sacerdotibus. Quod si tam curta defuncti supellex esset, ut sumptibus funebribus par non foret, reliquum ex fabricâ ecclesiæ, cui deservivit, sumatur, vel aliundè (si fabrica ipsa labore) accipiat. De successore idoneo quamprimum provideatur, ne viduata diù maneat ecclesia. Intereà temporis vicarius ruralis, vel ipse, vel per alium viduatæ inserviat ecclesiæ, percipiendo et gaudendo, pro rata ejus temporis beneficii fructibus, donec alius eligatur et canonicè instituitur.

Italy.

SECT. I.—Diocese of Acqui.

DECREES OF THE PROVINCIAL SYNOD OF ACQUI, RESPECTING *Foraneous Vicars* OR *Beats Mutui*, BY ARCHBISHOP CANIGIAN, A.D. MDLXXXV.

UT episcopus in urbe etiam externum gregem faciliùs quasi præsens intueri et curare possit, deligat aliquot probatos sacerdotes, qui literarum scientiâ, morumque integritate, et rerum agendarum usu præstantiores sint, quibus singulis imposito *vicarii foranei* nomine, tribuat certas regiones diocesis suæ, octo, vel decem parochiales ecclesias continentes, constituto tamen *vicariatu* in aliquo loco insigniori et frequentiori, illis autem eam facultatem tribuere poterit episcopus, quam ipse, et pro illorum eruditione, et pro locorum, temporumve ratione tribuendam censuerit.

Hii autem *vicarii* regionis sibi per episcopum commissæ præbiteros cujuscunque conditionis, curam animarum habentes semel singulis mensibus modò in unam, modò in aliam ejus regionis parochialem ecclesiam congregent: idque in orbem eodem ordine semper faciant. Pridiè ejus diei quam in unum locum conveniant, peccata sua omnes confiteantur, ut congregationis die in eâ ecclesiâ, in quâ congregati fuerint, missam singuli celebrare possint. Tum universi in choro missam conventualem pro mortuis solemniter more cantent, in quâ eorum aliquis à vicario in priori congregatione admonitus concionem ad populum habeat.

Confectis sacris, processionem omnes per totum vicum oppidumve, aut circa cæmeterium saltèm obeant: tùm verò in domo parochi simul, eâ quâ decet modestiâ et charitate, uno tantùm ferculo contenti, cibum capiant: nec in mensâ desit lectio alicujus pii libri. Deindè assurgentes omnes, et gratias Deo agentes, bini ad ecclesiam se conferant, ubi peractis gratiis, induant singuli suos superpelliceos, *vicarius* verò etiam stolam adhibeat, et per eum dictâ oratione in principio congregationis recitari solitâ, omnes assideant et inter se conferant, quæ ad boni pastoris officium, et ad curam animarum rectè administrandum pertinent, et de difficultatibus, et incommodis suarum parochiarum consulant, ut iis communi consilio remedia opportuna adhibeant.

Iidem autem *vicarii* libellum de casibus conscientiæ apostolicæ sedi et episcopis reservatis metropolitani curâ edendum reliquis sacerdotibus legent, et aliquot capita, tùm harum constitutionum, tùm earum, quæ in synodis diocesanis fiunt, simulque aliquid ex probatâ aliqua summâ de casibus conscientiæ explicabunt.

Præcipuè autem de præbiterorum vitâ et moribus quærant, et quales se in pastoralis præbeant curâ: et an eorum culpâ in ecclesiâ divinus cultus desideretur: an re ipsâ præstentur ea quæ episcopi vel alii eorum nomine in ecclesiarum necessitatem earumve reparationem impendi jusserint: an libros habeant quos præsertim ex hujus synodi decreto habere debent: quomodò sanctissimum eucharistiæ sacramentum rectè religiosèque asservetur: an quâlibet hebdomadâ renovetur, præterea an ea, quæ in missæ sacrificio adhibentur, uti calices, corporalia, purificatoria, mappæve altaris pura mundave, ac decentia sint. An baptisterium, et sacrorum oleorum vasa tutò ac decentè asserventur. An libros habeant baptizatorum, chrismatorum, conjugatorum et mortuorum et hos separatos, et decentes.

An reliqua in hac synodo decreta servantur. De his omnibus, et si quid mandarit peculiaritè episcopus, deque aliis, quæ ad utilitatem animarum episcopi cognitionem desiderant, ipsum per literas diligentè certiore faciant.

Quotiès in urbem venerint, primum episcopum adeant: deque eorum statu, qui sibi commisi sunt, eum accuratè moneant.

Curati verò quicumque, quâvis dignitate præditi bñctiss obtemperant, quòd si aliqui ad conveniendum negligentes, vel ad mandata eorundem bñctissorum exequenda contumaces fuerint, episcopi in illos pro modo culpæ animadvertant. Hi autem bñctiss, voluntate episcopi ab officio amoveri semper possint, ac si malè id administrarint, poenas dent ejusdem episcopi judicio.

Decreta Synodi Provinc. Aquensis, p. 122—124.

Russia.

SECT. I.—Diocese of Moscow and Kaluga.

INSTRUCTIONS FOR THE *Blagochennie* OF THE DIOCESE OF MOSCOW AND KALUGA,
BY ARCHBISHOP PLATON, METROPOLITAN, A.D. MDCCCLXXV.

1. A *Blagochennoi* is a person selected by episcopal authority and care, from the most worthy, the most intelligent, the most virtuous of the priesthood, for the observance of order and propriety in the church of God; especially amongst those who serve in it—the priests, the deacons, and other ecclesiastical persons; to the advantage of their fellow-Christians, and to the glory of God.

II. Therefore, O *Blagočennoi*, it is the duty of your office diligently to observe that good order be kept in all the churches entrusted to your care; agreeably to the rules of the Holy Fathers, and the ecclesiastical regulations; and to be very cautious that nothing disorderly, superstitious, or scandalous, happen in them.

III. To observe that the *Antimins*¹ be not too old, neither torn nor faded; and, if such a one be discovered, to present it.

IV. That the covering of the altar, and the *Strachetsa*² for the *Jertvenik*³, be not too old or torn, nor made of inferior materials; that the table be suitable to the holy place, either painted or covered with painted cloth: and if any one of the above-mentioned defects appear, to put the parishioners in mind of it; and to incline them, by exhortations, to exert themselves to repair it; and, in the event of their negligence, to represent them.

V. To take notice of the *Riznitsa*⁴, and the church-plate. That the *Rizi*⁴—the *Sticari*⁶—*Podrizniki*⁷—*Epitrakili*⁸—*Poruchi*⁹—the *Gudles*—be made of suitable materials; that they be not used when too old or torn: that the vessels—the *Potir*¹⁰—the *Discoss*¹¹—the *Zvezda*¹²—and the *Lějitsa*¹³—should be of silver; and that the *Potir* should be gilt inside: but if he finds that they are not of silver, he is to exhort the parishioners, by their zeal for holy church, to make all the vessels of silver.

VI. To observe that the holy *Miro*¹⁴ be kept, without mixture or defilement, in a

(¹) *Antimins*—a square piece of silk-stuff, worked with different Scriptural figures or subjects, answering to the *corporale* of the Romish Church.

(²) *Strachetsa*—a cloth of gold-stuff, figured.

(³) *Jertvenik*—the table where the Sacrament of the Lord's Supper is prepared, before it is administered: the name means an altar or place of *sacrifice*.

(⁴) *Riznitsa*—the wardrobe of the church, containing the priests', deacons', and other vestments.

(⁶) *Rizi*—priests' gowns.

(⁶) *Sticari*—deacons' gowns.

(⁷) *Podrizniki*—part of the priest's dress, worn under the gown.

(⁸) *Epitrakili*—scarfs worn over the neck.

(⁹) *Poruchi*—a short tight sleeve or cuff, reaching from the head to the elbow. *N.B.* The priests' gowns are cut like our preaching-gowns, or rather like those of the scholars in Oxford. Those in which they officiate always belong to the church, and are generally of the richest and most showy materials. As they wear no coat under their gown, the *Poruchi* are meant to cover the lower part of the arm, which would be otherwise exposed.

(¹⁰) *Potir*—the cup.

(¹¹) *Discoss*—the paten.

(¹²) *Zvezda*—literally, Star; the shape of the silver vessel which covers the consecrated bread.

(¹³) *Lějitsa*—a gold spoon, in which the bread and wine are given.

(¹⁴) *Miro*—chrism used in baptism.

suitable silver, or crystal, or at least a glass vessel, on the altar, in a separate box, even if it be made of wood; in which also the *oil*, in a small vase, the *scissors*, the *sponge*, and the *twig* used for anointing at christenings, should be kept, in complete order.

VII. To observe that the holy *Obrases*¹ be painted in a splendid and tasteful manner, particularly at the renewing the *Iconostasis*², or at the rebuilding the temple; and if he find any *obrazes* painted improperly, in a manner likely to give offence, and particularly if any of them be graven, to present them.

VIII. It is necessary that every church should have a *censer*; an *ukropnik*³; a *ladle* of silver, brass, or pewter; a *basin*, to hold the holy-water; a *kropilo*⁴; small *vases*, either of silver, brass, or pewter, for blessing the loaves; a *dish*, of silver, brass, or pewter, for holding hot-water, and other uses; more than one *candlestick* of brass or tin, for lighting the candles before the altar, the *Jertvinik*, and the *Naloi*⁵; a *Naloi* for reading the Gospel, and for the continued readings before the *Ambon*⁶; a painted *table*, made of suitable materials, for the consecration of the holy-water and the *Pannikido*⁷: whatever, in short, is usual in well-supplied churches, that the *Blagotshennoi* is to see provided; and if any thing is wanting, to exhort and demand of the parishioners to supply it.

IX. It is necessary that every church should have its proper number of books required for the performance of Divine Service; such as, A copy of the Gospel, for the altar, covered with rich tissue, and ornamented—A copy of the Acts of the Apostles—A Prayer-book—Lives of the Saints for every month—The Church Laws—The Triodes, for Fasts and Festivals—Two *Octaiks*⁸—A regular Psalter—A book of Daily Service—The great and little *Trebnik*⁹—The *Yermolog*¹⁰—The small Prayer-book—The Book for the Service on the Anniversary of the Ascension to the

(¹) *Obrases* is the name given by the Russians to their pictures of the Saviour and the Saints.

(²) *Iconostasis* is the screen before the altar, on which many of the *Obrases* are placed.

(³) *Ukropnik*—the vessel in which the holy-water is contained, when the priest blesses the people.

(⁴) *Kropilo*—the hair-brush for sprinkling the holy-water.

(⁵) *Naloi*—a small moveable reading-desk.

(⁶) *Ambon*—that part of the church which is separated from the altar by the screen, and raised above the rest of the church by three steps.

(⁷) *Pannikido*—the service for the dead.

(⁸) *Octaiks*—hymns for eight voices, composed by John Damascene.

(⁹) *Trebnik*—the Ritual, or order for the Service. (¹⁰) *Yermolog*—sacred hymns.

Throne, and for that of the Anniversary of the Battle of Pultava—The Service for the Dead—and A Table of Solemn Holydays—Newly published Sermons¹. And if any of the above-named books be not found in your churches; and if they are found there, but are torn, very old, or in old print; you are to require of the parishioners that these books, as being necessary to the service of God, should be purchased; and in case of their neglecting to do so, you are to present them.

x. It is very advantageous and necessary that every church should have books for the instruction of the clergy and laity; such as, the Holy Bible; also the following books, *The Margarit*²—*The Acts*—*The Mission and the Life of Saint Chrysostom*—Books containing the Lives of the Saints, with their prefaces—*An Abridgment of the Word of God*—*The Bookvar*³, and the Short Catechism—*The Book of the Blessed*—*The Sermons of Gideon, Theophan, and Minatieff*—*Spiritual Regulations*—An exhortation to Dissenters, and other publications and useful spiritual books. It is therefore the duty of the *Blagochennoi*, in his own person, and by means of the priests (of his circle), to exhort the parishioners to buy the above-named books (even though they may not be able to buy all at one time), and to give them to the church. And if there is a sufficient sum of money belonging to the church, the *Blagochennoi* has a right, with the knowledge of the priest and churchwarden, to expend it in the purchase of these books.

xI. You are to observe, that the place round the church, usually called the *Pogost* (church-yard), should not be too small; that it be fenced in; that it be not built upon; that it be not covered with rubbish; that it be not occupied by any improper buildings; and be kept decently clean;—that the graves be dug in the place assigned for the burial of the dead, not too shallow, but as deep as possible; and that the dead bodies be covered up with all due care.

xII. If any of your churches are getting very old or decayed, if they leak through the ceiling, if they threaten to fall, or, at all events, if by their ruinous state they bring disgrace to the holy place, it is your duty, O *Blagochennoi*, to exhort the parishioners to exert themselves, either to build a new church, or to repair the old one; and to write for permission so to do. In the mean time, it is your duty to present those churches that are becoming dilapidated.

xIII. If, on examination, any of your churches appear to have too small a revenue;

(¹) I believe, those of Platon's writing.

(²) *Margarit*—a collection of instructive sermons of the Holy Fathers.

(³) *Bookvar*—the first Introductory book: literally, Alphabet.

if they have too small a glebe, and are badly provided with plate; and the incumbent has not sufficient to support him; and other parishes are very near these churches, such you are to present, with the particular circumstances thereof.

xiv. If a church be burnt down, you are immediately to present it. And, in the mean time, to exhort and require of the parishioners to exert themselves to build a new church, and that they should ask for permission to do it. And you are particularly to exhort them to build it of stone, for the sake of its durability, as well as their own private advantage. You are also to entrust the parish priest with the task of exhorting the parishioners to exert themselves.

xv. When a new church is being erected, and the benediction is to be given to it by the diocesan, you are to take care that the temple be built and ornamented in a manner agreeably to the instructions given by the archbishop to that effect, according to the model of other holy temples; to insist that too much time be not consumed in the construction; and, if any obstacle causing a long delay should arise, to report it with explanations. When the temple is built, you are to make a list of all the buildings belonging to the church, of the images, of the plate, of the vestments, of the books, and of every thing required for the use of the church, as mentioned above; and to present it, at the same time as the petition from the parishioners for permission to have their temple consecrated.

xvi. You are diligently to observe, that the priests, the deacons, and others belonging to the church, but especially the priests, lead honest, steady, peaceable, and conciliatory lives, becoming their stations; and that they be correct and orderly in the performance of their duties: you are to take the greatest care that they be not in the habit of intoxicating themselves, or of frequenting public-houses; but that they conduct themselves soberly, and in a manner becoming servants of the altar and Christian pastors. But if you remark any one often intoxicated, disgracing himself by drunkenness, or performing his sacred duties when not in a sober state, you are to present such a one, without any concealment.

xvii. To take care that the priests perform the regular Service without fail, at least on Sundays, and on other holy and solemn days; and that, on other days, they chaunt the *Chassi*¹, perform the Vespers and Matins, and do not neglect the Service appointed for the forty days (between the Resurrection and Ascension).

xviii. That no service be performed by those who are at enmity until they be reconciled.

(¹) *Chassi*—a short Service for week-days.

xix. You are to insist strongly, O *Blagochennoi*, that your priests keep the holy gifts (for the use of the church) in the churches, at the altar, in silver-boxes; or, in case of need, in pewter; and that they frequently inspect them, that they receive no injury; and from henceforth not to allow the priests to keep these holy gifts in their houses, under a heavy penalty; and when there is a necessity of taking them into the houses of the parishioners, for the sake of administering the Sacrament to the sick, that the priests walk with a decorum suitable to such a mystery, and carry them on their breasts, either in boxes made of superior materials on purpose for them, or in cloth bags.

xx. Holy Baptism is to be performed in the church, in the presence of the deacons and other church-servants; unless some very important cause should require the child to be baptized in the house. The child is not to be baptized (immersed) in water which is too cold, or mixed with ice, especially during the winter, lest it should injure the health of the child.

xxi. The priests are not to allow dead bodies to remain longer than twenty-four hours in the church; and not to allow them to remain at all there, except in cases of absolute necessity; but as soon as they are brought, to read the funeral service over them, and bury them where it is prescribed.

xxii. It is your duty, O *Blagochennoi*, to give instruction to your priests, according to your own discretion, especially to those who are not very enlightened, how they are to confess their spiritual children; how they are to bind and loose the consciences of man, as God shall teach you in this matter.

xxiii. You are to take the greatest care that your priests do not perform the marriage-ceremony in doubtful cases; for from such proceed great difficulties and misfortunes, to those who marry, and to those who are married: doubtful cases are—when there is too near a relationship or connexion;—if the bride or bridegroom are not of a proper age—or if one of the parties is very young, and the other very old—if either party are compelled to marry—if children wish to marry without the consent of parents—when either party has a wife or husband living, from whom they have separated, or who has run away from them, or if they do not know what has become of them—if a person wishes to be married *not* in his own parish—if the person about to be married is not of sound mind—or any similar cause;—in any such cases you are not, on any account, to allow your priests to perform the marriage-ceremony, but to forbid them; and to make a report concerning the case, and to wait the decision.

xxiv. To take care, that, before marriage, three publications should be made in the church, of the names of those who are to be married; to see if there be no impedi-

ment, and to make the lawful and confidential inquiries; and that the marriage-ceremony be performed, during the day, in the church, in the presence of the deacon and church-servants.

xxv. That Divine Service be performed decorously, and not in a hurry, and that two voices be never heard at the same time; that the church-servants be correct in their reading and chaunting: but if, after your exhortations, they continue ignorant and incorrect in their reading and chaunting, you are to present them.

xxvi. Henceforth, you are not to allow the institution of new processions with the Cross, or the building of chapels, without permission.

xxvii. On holydays, at Christmas and Easter-week, and on the day of the dedication of the church, the priests, with the church-servants, are to go decently and steadily into the houses of such of their parishioners as desire it, with the life-giving Cross; but they are not to stroll about during the night, nor to intoxicate themselves with inebriating liquors, under pain of a fine, not to be remitted.

xxviii. It is necessary that the priests should instruct the people in the church, on Sundays and other holydays, by reading to them, during service, *lately-published* Sermons; and at Matins, a selection from the Prologues and other holy books; also from the Word of God, and the Catechism, explaining it to the parishioners, as well as they can. But those priests and deacons who have been taught in the Schools are frequently to preach their own sermons, to the credit of their station, and the profit of their fellow-Christians.

xxix. It is proper to see that the priests, deacons, and others attached to the church, remember their Catechism by heart; and besides this, to insist that the priests and deacons should read over their letters of orders, every Sunday, before Morning-Service, at home, in their own house.

xxx. The deacons, and others attached to the church, should respect and obey their priest as the superior of the church; and therefore not offend him, either by word or deed. And if they are injured by him, let them complain to you, O *Blagochennoi*; or if they choose, let them present him, and wait for satisfaction.

xxxi. The priest is not to dare to injure the deacon, or others attached to the church, by retaining their income, or striking them with his hands: but if they appear to him to be incorrect in their conduct, disorderly, or disobedient to him, he is to present them to the *Blagochennoi* or his diocesan.

xxxii. The priest is allowed to punish the deacon, and others attached to the church, in the following ways: To reprove them, first, in private, and then before the congregation—to make them bow—the deacon at the altar, the others in the body of

the church, or in the porch—to keep back their income, and to divide it amongst those attached to the church, who have behaved well, or amongst the poor; but to keep no part for himself;—and, when he has kept back their income, he is immediately to inform the *Blagochennoi*, and to await his confirmation: but if the *Blagochennoi* orders it to be restored, he is to do it immediately. If they are not amended by their punishments, the priest is to present them to the *Blagochennoi*; who, if he does not feel confident of correcting them, is to present them to the diocesan.

XXXIII. The *Blagochennoi* is to insist with the priests and deacons, that they be not eager of gain, or impertinent; but that they be contented with their stipends—that they do not demand fees for any duty from their parishioners—nor make any compact with each other, but be contented with their free-will offerings.

XXXIV. Also, to insist that they do not impertinently go to visit a house where they are not invited. But if they are invited, and know that the house, whither they are asked, is an honest one, has an acquaintance and friendship with priests like themselves, with deacons and others attached to the church, also with well-born proprietors of land, with respectable merchants and citizens, (they may go there). But they are not irregularly to contract friendship, or familiarity, with every one. For priests, having an holy and separate dignity, should conduct themselves suitably to it, and thus gain the respect of others.

XXXV. You are to see that the priests, who are widowers, do not, on any account, keep about them suspicious female-characters, in opposition to the rules of the Holy Fathers.

XXXVI. No priest, or church-servant, is to go to distant parishes; *that is*, further than fifteen versts, without your knowledge, and that only for a short time—that his church be not left. But you are not to allow any one to go to another diocese without the blessing of the archbishop, and without a passport from the consistory or spiritual authorities. And, when any one receives permission, you are to see that the priests of other churches perform his duties, that in them there be no stoppage.

XXXVII. If you observe any priest, or church-servant, coming into your jurisdiction from another diocese without a passport, or living there longer than the prescribed time by the passport, or serving and performing sacred duties without authority, you are to present such a one to the spiritual authorities, or to the consistory. And you are to direct your priests and church-servants to give you information respecting such persons.

XXXVIII. You are not to allow unemployed priests, or church-servants, to officiate. But if the real incumbent is ill, dies, or is absent; if he is deprived of his gown, or

sent away by authority: in such cases only, you may nominate unemployed priests, or church-servants, to the performance of their sacred offices for a time; and present the person you nominate, for information.

XXXIX. If a priest, deacon, or church-servant die, you are immediately to report to the consistory, for their information; and if a priest, to represent it also to the diocesan. In the mean time, you are to propose to the parishioners to select a proper person (to fill the place); and to send a petition (for confirmation), attested under your hand. And if they do not proceed to the election of a priest in the course of a month, and to that of a deacon or church-servant in the course of two months, you are without fail to represent it.

XL. You ought to be present, without doubt, at the election of a priest. The election is to take place in the church, in the presence of all those who belong to it, as well as the more respectable of the parishioners. After prayer, and an invocation of the grace of God, let them choose a person worthy of such an office; honourable in his mode of life, according to his turn, and one to be preferred amongst those who are educated (for the profession). Therefore you, O *Blagochennoi*, are to exhort the parishioners to select a person of such qualities: but if no person, with such qualifications, belongs to that church, then they are to select one from other churches, or to leave it to the discretion of the archbishop. You are, O *Blagochennoi*, to countersign their petition; both to certify the signatures of the parishioners, as well as prove that the election has proceeded according to due order.

XLI. At the induction of a priest to his living, the letters of orders and institution are to be read by you, O *Blagochennoi*, in the church to which he is inducted, on Sunday, during Divine Service, from the *Ambon*. Other letters (or documents) are to be given to the parish-priest, to read.

XLII. You are continually to insist, with the priests and church-servants, that they educate their children honestly; that they teach them reading and writing, at all events, when they are seven years old. After having taught them the rudiments, they are to send them to the schools. And if any of them are beyond the above-named years, they are to look for places for them, and not to allow them to live idle: but if any remain idle, beyond twenty years of age, you are to present such, after your examination in reading, chaunting, and the Catechism.

XLIII. You are to see that the priests, deacons, and those attached to the church, be dressed and shod in a manner suitable to their rank; viz. the priests and deacons in gowns and boots; and those attached to the church, in long suitable garments, and boots; especially in the church, or when they are going anywhere for the performance of their duties.

XLIV. If orders are given you, either from the archbishop, or from the consistory, or from the spiritual authorities, to make investigations concerning any one, you are to make them according to the orders given, with strict justice; neither favouring your friend, nor revenging yourself on your enemy; and without loss of time to make your report, where it is required.

XLV. The *Blagočehnoi* is to see that the priests have their lists of penitents (who confess themselves), and the church-register, ready to be delivered; and for this purpose, they are to have their copy-books prepared from the very beginning of the year.

XLVI. To watch over the churchwardens, that they set down all their collections and expenses in the copy-books given by the consistories; that they spend no money, without the knowledge of the priest; and no great sums, without the consent of the parishioners.

XLVII. To exhort the parishioners, that they confess themselves, and receive the Holy Sacrament, once every year, according to their Christian duty; and that, on Sundays and holydays, they leave their work, and attend Divine Service; and live honestly, according to the commandments of the Gospel.

XLVIII. If any superstitious practices be observed by you in the parish, either at the chapelries, at the belfreys, or with the images, or anywhere else; if any persons pretending to be bewitched, or to be idiots; or if any hypocritical devotees shew themselves; in such cases you are to report immediately concerning them, circumstantially, under pain of the closest examination, and in the mean time to endeavour to put a stop to such disorders by your own prudence. But if nothing of this kind should occur, you are, nevertheless, to make a report, twice a year, concerning the state and conduct of the parishes entrusted to your inspection; that every thing in them is in good order.

XLIX. If you hear of any irregularities in your parishes—robberies—quarrels—fighting—mischief-making—injustice—drunkenness—and other similar violations of the law, it is your duty, both in private and in the church, to convince, exhort, and correct (those who are guilty of such offences); threatening them with the judgment of God, which follows such violations of His law, and which is not to be avoided. Also to insist on the priest's using such kind of exhortations; and that they exert themselves to correct (those who are guilty), by spiritual penance, under the penalty of answering at the dreadful judgment of God.

L. You are to give notice to the parishioners, that they themselves learn and teach their children, the Lord's Prayer, "Our Father,"—the Belief—the Ten Commandments of God. On this head, particularly, you are to exhort the priests that

they exert themselves to instruct their parishioners; and at confession, to make them read them before them; and if any one appears ignorant, to exhort him, and convince him spiritually.

L.I. If the parishioners should injure, oppress, or expel, either the priest, or those attached to the church, you are to exhort them, and protect them from injury; but if you do not succeed in this, you are to order them to complain to the proper tribunal.

L.II. But if the parishioners bring any complaint against the priest, or those attached to the church, you are to explain, conciliate, and satisfy as much as possible; and if your endeavours do not succeed, then explain to them that they may complain where it is proper. But if they do not bring a complaint against the priest, or those attached to the church, but an information of any thing done by them derogatory to their station, and disgraceful to it, concerning this you are immediately to make a presentment.

L.III. You are to use every endeavour, with zeal mixed with prudence and evangelical mildness, to restore those who have dissented to the Holy Church; reading to them, with explanations, books composed for that purpose;—to represent to them the injury done to their souls by separating themselves from the assembly of the faithful; and wait for spiritual fruit with all goodness and patience. You are also to excite the parish-priest to exert himself in this matter: and if any of those who have dissented turn back again, you are immediately to make a representation concerning them.

L.IV. You are to make a tour of the churches committed to your inspection, at least twice a year; inquiring and observing whether every thing is as is directed in these instructions, and conducting yourself in all respects as above written.

L.V. Having entered the church, put on the *Epitrakili*; and after reading the *Ektinie*¹ (Litany), “Lord have mercy upon us,” &c., read the Exhortation; and, after having suitably dismissed the congregation, make an examination and inquiry on every point of these instructions, in order.

L.VI. No one has a right to nominate, or change, or punish by fine, the *Blagochennoi*, except by the orders of the diocesan.

L.VII. The *Blagochennoi* has the power, from the diocesan, to punish the priests, deacons, and those attached to the church, in the following ways:—to reprove them, when alone, and before others; to make them bow or kneel—the priests by the altar, the others in the body of the church, or in the porch; to keep back their income, and

(¹) *Ektinie*—a kind of Litany, with responses.

divide that which is detained amongst the poor. But if they are guilty of any great crimes or scandalous offences, to prevent their officiating in the church, and at the other duties of their calling (such as christening, burying, &c.), according to their fault; to impose a fine in money, not exceeding fifty copeaks (about 2s. at that time), and to divide it amongst the poor, or those attached to the church, who have conducted themselves with propriety. He is to make notes in the copy-book of these fines, and to keep them for reference; and to send them, every year, to the diocesan: but if the person be not reformed by all these modes of correction, he is to present him. Also immediately to report, for the information of the bishop, if he has suspended any one from performing his sacred duties.

LVIII. The *Blagochennoi* has a seat, not only in the meeting of the spiritual authorities, but also in the consistory, whenever he has any presentments to them, in the course of his duty.

LIX. The *Blagochennoi* has precedence of all other priests who do not fill the same office.

LX. The *Blagochennoi* has the power, during his absence on duty, to entrust the performance of service in the church, and elsewhere, to any one of his subordinate priests, whom he may appoint, without making him any pecuniary payment: because he does not absent himself on his own affairs, but for the common benefit of the church.

LXI. The priests and deacons are to shew all respect and obedience to the *Blagochennoi*. On his arrival, to meet him at the church: and not to sit in his presence, or cover their heads without his permission; and to shew him all manner of politeness, in their reception of him at their houses.

LXII. And as the *Blagochennoi* deserves a particular reward for his labours, he is committed to the good providence of God, who will reward all those who keep a virtuous course in this way of life. He is assured of the particular regard of his diocesan; who, esteeming his zeal, his cares, and labours, will not neglect him; but will reward him, either with a better living, with the permission to officiate in a *Nabedrennik*¹, and with the rank of *Proto-priester*.

LXIII. And since, by these rules, a particular confidence is placed in the *Blagochennoi*, it is to be hoped that he will perform the trust committed to him, with a clear conscience, in the fear of God; neither oppressing nor entangling any one by

(¹) *Nabedrennik*—an ornament worn on the thigh, as a matter of right, by the dean of a cathedral or minster; but as a mark of distinction by the other clergy.

injustice or injury; for in such an event, which God forbid! he will have a heavy responsibility, and be subject to heavier punishments than a common priest for the same fault.

LXIV. For sending messages and parcels, the *Blagochennoi* should constantly have by him one of the acting church-servants, or one not yet placed, according to the selection of the priests and those attached to the church, half yearly or yearly, as they may decide in common. And for a time, if there occur much business and messages, he may take another of the church-servants; and has a right to make use of the deacons, for sending letters, reports, and performing other business belonging to his office.

LXV. If, in the course of the duties entrusted to you, O *Blagochennoi*, any thing occurs which should be kept secret, you are not to write concerning it to any in private letters; but to act according to the directions of the Ukaze, given by the Emperor, Peter the Great, of blessed and eternal memory, the thirteenth day of January, in the year MDCCXXIV.

LXVI. Wherever, in the above directions, the *Blagochennoi* is to make a presentment, it is to be made directly to his diocesan¹.

A SHORT EXHORTATION, TO BE READ BY THE *Blagochennoi*, AT THE VISITATION
OF HIS CHURCHES.

BRETHREN and Fellow-Labourers, and all Orthodox Christians,

Our chief shepherd (bishop of such a diocese) has sent me, from his presence, to inspect the order of your churches, and the state of the priests and church-servants, and other orthodox Christians. Wherefore I, fulfilling this commission entrusted to me, with suitable care, in the first place, as from the presence of our diocesan, put you in mind, that you should lead a life suitable to Christians ransomed by the blood of Christ, adopted by your Heavenly Father, and preparing to stand, after this life, before the judgment-seat of a just God, and to give an account to Him of all your actions.

Love God with all your heart, and with all your soul; submit yourselves, in all things, to His holy will; and under all circumstances, especially adverse ones,

(¹) The word here, and in other places, translated Diocesan, means, strictly, "His Eminence;" which title is applied, in Russia, to the Archbishop and Bishops.

strengthen yourselves, and comfort yourselves with His good providence. Be zealous in His service; and on Sundays and holydays, be eager to go into His church, for His glory. Love one another. Abstain from all quarrels, disunion, disagreement, and injuries, by all means: be content with your incomes, and let each gain a support for himself and his household, by his own labour: but avoid, by all means, sloth, idleness, and drunkenness. Fathers! instruct your children. Masters! instruct those who are subject to you, in the law of God, and in a holy mode of life. And do you, O children! love, respect, and obey the will of your parents: and you, O servants! that of your masters. Husbands and wives! preserve amongst yourselves conjugal love and fidelity. From your own lawful property, supply the poor; and do not permit them to suffer from cold or hunger, for the sake of Him who was crucified for us. But do you, O brethren and fellow-labourers! watch over your spiritual flock. Let your mouths be opened for the glory of God, and the instruction of orthodox Christians in His holy Law. Shew forth your faith, by your works; and let your lives be an example to those souls who are placed under your care. Remain steadfast in the faith. Keep yourselves from schism. Be merciful, hospitable, gentle, and humane. Have peace and holiness; and the God of peace will abide with you. Amen.

SECT. II.—Lutheran Church of Russia.

ON THE OFFICE OF **Probst** (**PRÆPOSITUS**) OF THE LUTHERAN CHURCH OF RUSSIA, ANSWERING TO THE **Blagochennoi** OF THE ORTHODOX CHURCH.—FROM AN USTAFF, SIGNED BY THE EMPEROR NICOLAI, DEC. 28, MDCCCXXXIII.

IN the event of the death of a **Probst**, or of an illness of consequence enough to prevent his fulfilling the duties of his situation, the senior *preacher* of the circle shall take his place.

When a vacancy occurs in a *probstey*, the consistory (local) assembles all the *preachers* of the circle, to choose two candidates for the vacant place; or requests them to give their opinion (respecting them) in writing. The consistory (local) then presents, through the general consistory, the names of two candidates, to the Minister of the Home Department, with their recommendation of the one to be confirmed.

The **Probsts** are immediately under the general superintendant and the consistories; and they are the immediate superiors of the *preachers* in their respective

circles. As such, they communicate to them any orders they may receive from their spiritual superiors, and present any communications from them to the higher powers. And, as their more immediate guides and inspectors, observe their progress in study, the morality of their lives, and the exactness with which they fulfil their duties. The *Probsts* are every year to make a report of their own proceedings, as well as of those of the *preachers* under them, to the general superintendent; and of the conduct of the candidates for holy orders, residing in their respective circles.

If the *Probst* cannot, from want of time, or other weighty cause, transmit his report to the general superintendent, he has the right to carry it direct to the consistory.

The *Probst* is bound to make a visitation of all the churches in his circle, once in three years; taking with him, if possible, the Spiritual Assistants. The visitations should be held, if possible, on Sundays: and each time the preacher of the church should have notice of it, a week before hand, that he may inform the parishioners of it, from the pulpit. The *Probst*, on his part, is to inform the patrons and churchwardens of the parish of his intended visitation. The visitation always begins with a solemn service. The preacher delivers a sermon on a text given by the *Probst*: he then explains to the young people of the parish, who are assembled, the Short Catechism, so as to shew his fitness for his office. After this, the *Probst* himself examines the young people; and, if he deem it necessary, the other parishioners, on their knowledge of the Law of God. The *Probst* inquires of the preacher, whether he has any thing to communicate respecting the state of his parish. After this, the preacher leaves the church; and the *Probst* puts the same question to the parishioners, writes down their answers, and dismisses them; after having made them an exhortation suitable to the occasion. He has nothing further to do with those who say they have nothing particular to communicate to him. After this, the *Probst* requires from the preacher, the church-servants (the clerk and sexton), and churchwardens, a minute and exact account of the manner in which they have fulfilled their respective duties; of their relations to each other, and to the parish; of the religious and moral state of the parishioners; of the state of their schools, and other religious institutions; of the observance of Sundays and other holydays; of the order of their church-service; of the administration of the sacraments; of funerals; of every thing, in short, which relates to the church. He is also to require information as to whether the offerings, which are due to the preacher and church-servants, are regularly paid. He then examines the church-books, the church-register, the archives of the parish, and the church-plate which is in the hands of the

preacher. He has the power, if he deem it necessary, to require from the preacher the plan or notes of his sermons. The *Probst* is bound, by (the means of) advice and exhortation, to correct any disorders or omissions he may have observed during his visitation; and that which he cannot either stop or amend, by these means, he is to give information of to the consistory. The *Probst* is bound to make a protocol of all that occurs at the visitation. This protocol is to be signed by himself and the preacher, in the presence of the churchwardens or other persons who have been present at the visitation. The protocol remains in the archives of the parish, and serves as the basis of the next visitation. The *Probst* is to present a copy of it, and the notes of the sermon delivered by the parish-preacher, to the consistory.

The *Probsts* have the title of *Hohehrwürden*¹. At the time of Divine Service, and other solemn occasions, they are to wear *the dress* appointed for preachers.

The complaints of the *Probst* against the preachers, and those of the preachers against the *Probst*, are to be referred to the general superintendant; who is to endeavour to settle them peaceably; but in case of not succeeding, they are to be decided by the consistory.

If the parishioners, patron, or churchwardens, are dissatisfied with the arrangements of the *Probst*, or think that he has infringed on the rights of the property of the church, their complaints are to be referred to the consistory.

The *Probsts*, as well as other preachers of the Lutheran Church, are to seal their letters of church-business with the seal of their church. Their letters and packages, on account of the seal, will be forwarded without paying postage.

(¹) *Hohehrwürden* is a German word, meaning "high-worthiness."

PART II.

English Documents.

SECT. I.—Diocese of Canterbury.

THE diocese of Canterbury consists of three-fourths of the county of Kent (257 parishes), and peculiars &c. (about 100 parishes), in other dioceses¹. The *deantries*, under the jurisdiction of *deans* rural, within the archdeaconry of Canterbury, are, Sittingbourn, Ospringe, Canterbury, Bridge, Westhere, Sandwich, Dover, Elham, Charing, Sutton-Valance, and Lympne, within the county of Kent. The peculiars², as their name implies, are under peculiar jurisdiction.

Deans rural existed in the diocese of Canterbury in the early part of the thirteenth century, and probably before. They are noticed as being appointed *de consuetudine*, by the official of the archbishop; and as being responsible to the archdeacon, antecedently to the year MCCXXVII. This appears from a clause in "*The Chapter's confirmation of the parsonages of Hakinton and Tenham, appropriated to the archdeaconry of Canterbury by Stephen Langton the archbishop*," published by Mr. Somner, in his *Appendix*, N^o. LX. a. "*Ad hoc cum hactenus temporibus nostris de consuetudine sit obtentum quoddam officialis noster decanos constituerit in diocesi Cant. qui constituti statim tenebantur Cantuar. archidiacono respondere*,

(¹) The *Church Commission* (A.D. MDCCCXXXV.) suggests that the diocese of Canterbury shall consist of the county of Kent (except those parts which are to be included in the dioceses of London and Rochester), and of the district of Lambeth Palace, and the parishes of Addington and Croydon, in the county of Surrey.

(²) Some account of the *deans* of peculiars, who are supposed to have been originally rural *deans*, will be found in our earlier pages—*See R. B. M. Part III. Sect. III. p. 145-6*. And under the diocese of Chichester, I have introduced a curious instrument of the *Dean* of South-Malling (within the county of Sussex and diocese of Chichester); who, strictly speaking, was subject to the peculiar jurisdiction of the archbishop of Canterbury. White Kennet is of opinion, that the *Dean* of arches was, at first, no more than the urban *Dean* in London, or the *Dean* of Christianity; who had under his peculiar district the churches exempt from the diocesan, and under the archbishop's immediate jurisdiction.—*Paroch. Antiq.* Vol. II. p. 357.

volumus et de voluntate et assensu prædicti capituli nostri statuimus, ut de cætero archidiaconi Cant. qui pro tempore fuerint decanos constituent, et amoveant pro sue voluntatis arbitrio prout melius viderint expedire in dioc. memoratâ, et sibi respondeant sicut decet, cum absurdum sit ut alius eos constituat quàm is qui eis debeat præesse, et cui respondere tenentur, præsertim cum ipsis referentibus corrigere debent cæterorum errata . . .” A.D. MCCXXVII.

The official of the archbishop, doubtless, obtained this power of appointing and depriving *deans rural* (here revoked in favour of the archdeacon) primarily from the archbishop; who, in the cited instrument, again delegates the same, *without reservation*, to the archdeacon, for the reasons alleged. But, two years afterwards, we find, in another document preserved by Mr. Somner in the same *Appendix*, N^o. LIX., a *saving clause*, introduced by Archbishop Wethershead—“*præhabito consilio nostro*”—on the occasion of his formally continuing to his archdeacon, Hubert, the “*institutiones et destitutiones decanorum*.” The words are these: “. . . . *Intuitu probitatis sue et sincerâ affectione quam circa personam ipsius gerimus, hæc ei personalitèr concessimus, sine omni prejudicio Cant. ecclesiæ et successorum nostrorum, institutiones, viz. et destitutiones decanorum, præhabito consilio nostro, &c.*” A.D. MCCXXIX.

An historical anecdote of a *Dean rural* of Canterbury, during the primacy of Robert Winchelsea, at the close of the same century, is related in our earlier pages. See *Part IV. Sect. IX.* But, in the year MCCCLXXVII, I conceive, the institution had fallen into disuse. The *mandates* of Archbishop Simon Sudbury, then issued for the visitation of the diocese of Canterbury, take no notice whatever of *deans rural* in connexion with the *decanates* there particularly enumerated. (*CC. M. B. et H. Vol. III. pp. 111, 112.*)

The temporary delegation above granted to the archdeacon personally (supported by the authority of Pope Innocent’s *rescript*, issued a few years before), led, in after days, to a plea of prescription being set up by the archdeacon of Canterbury against the archbishop. I allude to the circumstance of Archbishop Sancroft, when he would have revived the office of *Dean rural* in the diocese of Canterbury, being opposed, in the nomination of persons to fulfil the charge, by Archdeacon Parker. See Somner’s *Appendix to the Antiquities of Canterbury*, pp. 65, 66. and his remarks on *deans rural* “in the general,” under “*Ecclesiastical government of the city*,” pp. 175, seqq.; Prynne’s *Papal Usurpations*, Vol. III. p. 987; and Brett’s *Church Government*, p. 188.

The *Valor Ecclesiasticus* Henrici VIII. records the various *deantries* of the diocese, but notices no officers, as presiding over them. There were, therefore, at that

time, no *deans rural* within the diocese : nor am I aware of any having subsequently existed, until the office was very recently restored (*A.D.* MDCCCXXXIII.) by the present much-venerated primate ; whose annexed *Commission* and *Instructions* for the rural *deans* of the diocese of Canterbury sufficiently explain the constitution of the office as it now obtains.

I am happy to be able to lay before my readers three rural-deanial seals of this diocese ; viz. of the *decanates* of Sutton-Valance, Dover, and Ospringe.—See *More Decanica Rurales*, Part IV. Sect. XI. pp. 399, 400.

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COMMISSION FOR THE *Rural Deans* OF THE DIOCESE OF CANTERBURY,
BY ARCHBISHOP WILLIAM HOWLEY, A.D. MDCCCXXXIII.

WILLIAM, by Divine Providence, Archbishop of Canterbury, To our well-beloved and reverend brother *A. B.* clerk, D.D., rector of *C.*, in the *deanry* of *D.*, in the county of Kent, and diocese of Canterbury, greeting—

Whereas we have thought fit, upon mature consideration, to revive the ancient use of rural *deans*, that we may be fully informed at all times of the state of our whole diocese—We, therefore, fully confiding in your discretion and judgment, do constitute and appoint you, by these presents, to be a rural *dean* of the said *deanry* of *D.* And we require your fidelity and diligence, in executing the duties of the said office, according to the tenor of the *Instructions* hereunto annexed.

Given under our hand and archiepiscopal seal, this tenth day of December, in the year of our Lord One thousand eight hundred and thirty-three, and of our Translation the sixth.

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INSTRUCTIONS FOR THE *Rural Deans* OF THE DIOCESE OF CANTERBURY,
BY ARCHBISHOP WILLIAM HOWLEY, A.D. MDCCCXXXIII.

THE rural *dean* is required to visit once in the year, at such time as shall be appointed by the archdeacon, the several parishes within his *deanry* ; and to make a return to the archdeacon, for the information of the archbishop, in regard to the several particulars hereinafter mentioned :—

The condition of the churches, chapels, chancels, and churchyards ; and the books, ornaments, and utensils, thereto belonging.

The preservation of the parish-registers, the making due entries therein, and the regular transmission of the annual return, to the registry at Canterbury.

The due performance of Divine Service in the church; the administration of the Lord's Supper; and the average number of communicants.

The residence of the curates of non-resident incumbents; the state of the national or parochial schools; and, in general, the education of the poor, in connexion with the established church.

The state of the houses, buildings, and glebe-lands, attached to benefices; including all additions to, or alterations, decays, or dilapidations, in, the premises.

It will be advisable that the rural Dean should request some beneficed clergyman, residing in the Deanry, to assist him in his visitation.

The rural Dean is also required to give information to the archdeacon of the avoidance of any benefice within his Deanry, and of the measures to be taken to secure the performance of the parochial duties during the vacancy; and also to report to him, as occasion may require, on all matters concerning the church or the clergy, which the ordinary ought to know.

SECT. II.—Diocese of York.

THE diocese of York contains about three-fourths of Yorkshire, all Nottinghamshire, and the churches and chapels constituting the peculiar jurisdiction of Hexham in the county of Northumberland. It is divided into four archdeaconries:—I. York, *alias* West-Riding—containing the Deanries of Ainsty *cum* York city, Doncaster, Craven, and Pontefract. II. East-Riding—containing Buckrose, Dickering, Hart-hill *cum* Beverley and Howden peculiars, and Holderness. III. Cleveland—containing Bulmer, Cleveland *cum* North-Allerton peculiar, and Ridall. IV. Nottingham¹—containing Bingham, Nottingham, Newark, Retford, and Southwell peculiar.

No documents have reached me, connected with this diocese; nor have I any knowledge of the past or present history of Deans rural therein;—save what the following facts supply. Dr. Whitaker records a Dean of Craven in the West-Riding, in the early part of the twelfth century; and a second, towards its close. (See *Hist. of Craven*, p. 481; and *Æra Æcanica Rurales*, Part II. Sect. II. p. 166.) Dr. Thorton notices the Deans of the county of Nottingham attending at the *matrix ecclesia*

(¹) The *Ecclesiastical Report of A.D. MDCCCXXXV.* proposes to sever off all Nottinghamshire from the diocese of York, and to transfer it to that of Lincoln.

of Southwell, in the thirteenth century, to receive chrism and holy oil for the use of the clergy of their deantries; (*see Opera Mechanica Rurales, Part IV. Sect. v. c. VII. § 6. p. 333*). Archdeacon Wilkins gives a mandate of Archbishop Grenefeld, of the fourteenth century, addressed to the official of the archdeacon of the East-Riding; wherein a rural dean of Dykering is mentioned. (*CC. M. B. et H. Vol. II. p. 424. A.D. MCCCXIII.*) The instrument is entitled, *Mandatum Will. Grenefeld, Archiepisc. Ebor. contra adorationem imaginis B. Virginis in ecclesiâ de Foston.*

After a short sketch of the origin, title, and duties of deans rural, Mr. Hunter remarks—"The very office, at least in the diocese of York, is almost forgotten. The last clergyman who was dean of Doncaster was William Steer, who died in MDCCXLv., a prebendary in the cathedral church, and vicar of Ecclesfield." And in a foot-note he subjoins—"William Mirfyn was dean in MDCXXXV. Postlethwaite, rector of Armthorpe, and Leadbeater, rector of Thribergh, were deans of Doncaster. Hudson was dean early in the reign of Elizabeth. The term, dean of Doncaster, was in familiar use in the reign of Elizabeth; when I find Gilbert Talbot writing to his father, the Earl of Shrewsbury, 9 April MDLXXIV., that the Earl of Leicester was offended by a sermon preached at York by the dean of Doncaster. It does not appear that Torre has left a catalogue of these deans; and I have not yet seen a tolerably fair impression of the seal (if any) belonging to the office." *The Deanry of Doncaster*, by the Rev. Joseph Hunter, p. i.

Deans rural do not appear to have been established here at the issuing of the commission for compiling the *Valor Ecclesiasticus* Henrici VIII. Nor do I find any vestiges of them in the *Taxatio Ecclesiastica* P. Nicholai.

SECT. III.—Diocese of London.

THE diocese of London consists of the counties of Middlesex, Essex, and part of Hertfordshire¹. It is distributed into five archdeaconries; viz. Middlesex, London,

(¹) The *Ecclesiastical Commissioners* (A.D. MDCCCXXXV.) propose considerable alterations in the diocese of London. They suggest, that, in future, the diocese shall consist of the metropolis and parts adjoining; namely, the city of London and county of Middlesex, the parishes of Barking, East-Ham, West-Ham, Little Ilford, Low-Layton, Walthamstow, Wanstead Saint Mary, Woodford, and Chingford, in the county of Essex; all in the present diocese of London;—the parishes of Charlton, Lee, Lewisham, Greenwich, Woolwich, Eltham, Plumstead, and Saint

Saint Alban's, Essex, and Colchester. The rural deantries are hereafter enumerated. Bishop Blomfield has recently revived the ancient use of rural deans in the diocese.

The office had been long extinct; but, at what particular time it became so, I am uninformed. It existed in the days of Bishop Compton (*circa* A.D. MDCLXXXIX.), as the annexed *Commission* and *Instructions*, kindly supplied by Bishop Blomfield, sufficiently demonstrate. The *Commissio pro' decanis ruralibus* appears *here* in print, for the first time. The *Instructions for the deans rural* have been before published, in the *Appendix* to Gibson's *C. I. E. A.*, Sect. xv. c. xix. p. 1550. No earlier documents connected with the rural-deanial office in the see of London have fallen in my way; and, I am informed by the learned prelate, who now presides over it with so much honour to himself and so much advantage to the spiritual interests of the diocese, no others exist in the registry. Indeed, an accurate search, prosecuted by order of Bishop Blomfield, with a view to the present publication, has led to the conviction, that the office of Dean rural was not instituted in the diocese of London till the seventeenth century.

Among the archives of the Registry is a *Letter*¹ addressed by the Privy Council to the bishop of London in the year MDLXIII., requiring him to signify the extent of his

Saint Nicholas Deptford, and Saint Paul Deptford; all in the county of Kent, and diocese of Rochester;—the borough of Southwark, and the parishes of Battersea, Bermondsey, Camberwell, Christchurch, Clapham, Lambeth, Rotherhithe, Streatham, Tooting, Graveney, Wandsworth, Merton, Kew, and Richmond, in the county of Surrey, and diocese of Winchester;—and the parishes of Saint Mary Newington, Barnes, Putney, Mortlake, and Wimbledon, in the county of Surrey, and in the peculiar jurisdiction of the archbishop of Canterbury; together with all extra-parochial places locally situate within the limits of the parishes above enumerated; except the district of Lambeth-palace, which shall remain in the diocese of Canterbury.

"In arranging the diocese of London, our great object," say the Commissioners, "has been, to bring under the jurisdiction of the same bishop the metropolis and the suburban parishes; and, in assigning the boundaries of the diocese, we have adopted those fixed by an Act passed in the fourth and fifth years of your Majesty's reign, as comprising the metropolitan district.

"In consideration of the great additional population which will then be placed under the superintendence of the bishop of London, we have thought it right to relieve that diocese from the whole county of Hertford, and from those parts of the county of Essex which are not included within the new limits."

(¹) This Letter, written from Greenwich the 9th of July, MDLXIII., is published, I find, by Strype, in his *Life of Archbishop Grindall*, p. 68; and by Wilkins, in his *CC. M. B. et H.* Vol. iv. p. 244—entitled, "*The Council's Letter to the Bishop of London, about the Clergy of his Diocese.*"

diocese, and of what districts or divisions it consisted, together with the several ecclesiastical promotions within it. And his Lordship, in his answer to that *Letter*, certifies, that three of the archdeaconries were then divided into *deanries by name*, but that there had been no *deans* within the memory of man: and further (after setting forth the names of the *deanries*), that the archdeaconries¹ of London and Saint Alban's were not divided into *deanries*.

From the *Commission* of Bishop Compton to the *deans* rural of his diocese, it appears that *he alone* was concerned in the appointment of them: but the act of institution took place with the consent of the archdeacons; and, on the late revival of the office by Bishop Blomfield, the same *exclusive* right of appointment was exercised by him, with the advice and consent of the archdeacons; in subordination to whom the *deans* were, in all respects, to act.

Bishop Compton's *Instructions* direct the *deans* rural to inquire and inform of irregular clergymen, and of the deaths of clergymen; to inspect churches and parsonage-houses, and to report thereon to the bishop; to call the clergy together, and to disperse the bishop's orders; and to examine candidates for confirmation.

The *Instructions* circulated by Bishop Blomfield comprehend all the important points of the earlier instrument; with some few additional articles appertaining to the avoidance and sequestration of benefices; the visitation of parochial and national schools; the examination of curates' licences, &c. &c.

The striking distinction between the two instruments is this;—that Bishop Compton orders all returns of information to be made directly to the diocesan or his chancellor, without any intermediate reference to the archdeacons:—whereas Bishop Blomfield orders the returns to be sent primarily to the archdeacons, and by them to the diocesan; save where curates are found officiating without licence, of which irregularity the *deans* are to give notice at once to the bishop. This judicious innovation on the elder machinery of the office I have elsewhere noticed and approved:—see Part III. Sect. I. p. 128. *Deans* rural should always be constituted as subsidiary and subordinate officers to archdeacons. For though deriving their appointment *exclusively* from the diocesan (as they ever should), they are, according to the canon law, ministerial to both alike—“*Ministri tam archidiaconi quàm episcopi*,”—and

(¹) The reason why London itself was not divided into *deanries*, Bishop Blomfield observes, is obvious: and as to the archdeaconry of Saint Alban's, it was only added to the diocese at the dissolution of the monastery of Saint Alban's; having been before under the jurisdiction of the Abbot.

should be equally responsible to both. They should in general communicate with the bishop *through* the archdeacon.

Bishop Blomfield's institution, or rather revival of the office, I cannot better relate, than in his own words:—

“In the course of the last year, with the advice and consent of my archdeacons,” says the bishop, “I revived the ancient use of rural deans, and appointed forty-seven incumbents of the diocese to that office, assigning to each a district, containing, as nearly as circumstances would admit, ten parishes. I embrace this opportunity of returning my sincere thanks to the rural deans, for their readiness in accepting an office of some considerable trouble, and no emolument; and for the effective and judicious manner in which they have performed its duties. They will learn with satisfaction, what each of them knows in his own particular case, that the experiment, as far as it can be judged of from one year's trial, has been eminently successful. A machinery has been formed, which enables me, through the medium of the archdeacons, to communicate with all the clergy of the diocese in the speediest and most confidential manner; while, on the other hand, I shall from year to year be made intimately acquainted with the real state of their parishes, in respect to all material points of ecclesiastical interest. I should not do justice to my own feelings, were I not to offer my hearty thanks to the clergy in general, throughout the diocese, for their prompt and cheerful acquiescence in this arrangement. With scarcely more than one exception, they have afforded every facility to the rural deans, in the execution of their office: and, I am bound to add, that an equal degree of readiness has been manifested by the churchwardens, to frame their presentments with due consideration and care, and to furnish the rural deans with the means of verifying their statements.”—*Charge delivered to the Clergy of the Diocese of London at the Visitation in July MDCCCXXXIV.* pp. 31, 32, 33; and *Appendix (M)*, p. 64.

1. COMMISSION FOR THE **Deans Rural** of the DIOCESE OF LONDON,
BY BISHOP COMPTON, A.D. MDCLXXXIX.

COMMISSIO PRO **Decanis Ruralibus.**

OMNIBUS Christi fidelibus ad quos hoc præsens scriptum pervenerit HENRICUS
permissione Divinâ London episcopus salutem in Domino sempiternam.

Sciatis quòd nos volentes disciplinam ecclesiasticam cum maximo fructu cleri et

populi diocess. nr̃ae London debitum sortiri effectum. Utque et cum consensu reverendi viri Johannis Goodman Sacrae Theologiae Professoris, archidiaconi archiñat̃is Middlesexiae infra diocesiñ nostram praed. dilectum nobis in Christo Guilimum Wiggan clericum, vicarium ecclesiae parochialis de Kensington in com. Middeĩ. dioc. et archiñat. praed. plurimum ejus in hac parte eruditioni, probitati, et industriae confidentes, fecimus, constituimus, et ordinamus, Decanum ruralem, primae partis comitat̃is Middĩ. infra archiñatum praed. cum potestat. omnia et singula faciendi et exequendi infra dictam primam partem Middeĩ. quae ad officium Decani ruralis de jure vel consuetudine spectant et pertinent, vel spectare aut pertinere debent, ad beneplacitum nostrum tantummodò duratur. In cujus rei testimonium &c.

Prima pars Middeĩ. Willimus Wiggan.

Similes Commissiones pro Decañis Ruralibꝯ infra scriptis.

ARCHIÑAT. MIDDEĨ.

Secunda pars Middeĩ. Guilimus Cave S. T. P. Vicarius Ecclesiae S. Mariae Islington.

Decanat. Harlow Michael Altham C̃licus Vicarius Ecclesiae de Lalten.

Decanat. Dunnow Thomas Marriot C̃licus Rector Ecclesiae p̃alis de Canfield Parva.

Braughing Decanatus Thomas Smolt S. T. P. Vicarius Ecclesiae de Barkeway.

Hedingham Decanatus Robertus Middleton Vicarius Ecclesiae de Braintree.

ARCHIÑATUS ESSEXIAE.

Barking Decanatus Johannes Stripe C̃licus Vicarius Eccl̃iae de Low Leighton.

Barstable et Shafford Decanat. Johes Slitby Rector Eccl̃iae de Shenfield.

Ongar Decanat. Josephus Merrill Rector Ecclesiae de Laver Magdalen.

Chelmsford Decanat. Robtus Cory S. T. P. Rector de Danbury.

Rochford Decanat. Carolus Terrill Vicarius de Shopland.

Dengy Decanat. Johes Urgmore Vic. Oiũ SS^{or}. et S^t. Petri Maldon.

ARCHIÑAT. COLCESTRIAE.

Witham Decanatus Jonas Wardley C̃licus Vicarius Ecclesiae de Witham.

Colchester et Tendring Decanat. Guilimus Shelton Rector Ecclesiae S^ti. Jacobi in Villā Colcestriae.

Lexden Decanatus Johes Tabar C̃licus Rector Ecclesiae de Abberton.

Sampford Decanatus Thomas Carter S. T. P. Rector Ecclesiae de Debden.

Newport Decanatus Edwardus Norton Vicarius Ecclesiae de Walden.

ARCHIÑAT. S^ti. ALBANI.

Johannes Berrow C̃licus Vicarius Ecclesiae de Walford.

2. INSTRUCTIONS FOR THE **Rural Deans** OF THE DIOCESE OF LONDON,
BY BISHOP COMPTON, A.D. MDCLXXXIX.

i. THE rural dean ought diligently to inquire, and give true information unto the Right Rev. Father in God, the Lord Bishop of London, or his Chancellour, of the names of all such persons, clergy or lay, within his precincts, as shall be openly and publicly noted and defamed, or vehemently suspected of any crime or offence, as is to be punished or reformed by authority of the Ecclesiastical Court.

ii. He is likewise to make a return to the said bishop of London, or his chancellour, into the registry of the Consistory Court, of all the clergy who dye within his deanry, and who intermeddle with the goods of the deceased without probat of the deceased's will, or without administration of his goods granted by the ordinary of the diocese, and likewise of wills unproved by other persons, especially such wherein any legacy is reported to be left to charitable uses.

iii. He is likewise, as occasion shall require, to inspect the churches, chancells, and chapels, and the houses belonging to the parsons and vicars within his district, and to give information of their decays and dilapidations to the ordinary.

iv. He is likewise to call the clergy together when the ordinary shall appoint, and take care of dispersing such orders as shall be transmitted to him, and to make returns accordingly.

v. He is likewise to take care that persons presented to the bishop to be confirmed by him should be fit and duly qualified for the bishop's confirmation, by a strict examination of them, and causing them solemnly to renew the vow which was made in their names at their baptism.

Memorandum, that the above-named *Instructions* were sent to all the
Rural Deans before written.

Ex *Off.* Registr. Dioces. London.

3. COMMISSION FOR THE **Rural Deans** OF THE DIOCESE OF LONDON,
BY BISHOP BLOMFIELD, A.D. MDCCCXXXIII.

CHARLES JAMES, by Divine permission, Bishop of London, To our well-beloved brother in Christ, *A. B.* clerk, *M.A.*, rector of *C.*, in the county of *D.*, and our diocese of London, greeting—

Whereas it has been represented to us by the archdeacons of our diocese of

London, that, for the purpose of enabling them more effectually to execute the duties of their office, it is desirable that we should revive the ancient use of rural Deans—We, therefore, confiding as well in your zeal for the glory of God, and the good of His church, as in your prudence and discretion, do, by these presents, constitute and appoint you to be rural Dean of a certain district within the archdeaconry of E., and our diocese aforesaid; which district comprises the parishes specified in the margin of this Commission. And we will and desire, that, in executing the duties of the said office of rural Dean, in virtue of this our Commission, you do in all respects act in subordination to the archdeacon of the said archdeaconry of E., and that you do strictly and faithfully observe the *Instructions* hereunto annexed.

Given under our hand and seal, this day of in the year of our
Lord One thousand eight hundred and ; and of our Translation the

4. INSTRUCTIONS TO BE OBSERVED BY THE Rural Deans IN THE DIOCESE OF LONDON,
A.D. MDCCCXXXIII.

I. THE rural Dean is diligently to inquire, and give true information to the archdeacon, to be by him made known to the bishop, of all matters concerning the clergy, churchwardens, and other officers of the church, which it may be necessary, or useful, that the ordinary should know.

II. Upon being made acquainted with the avoidance of any benefice within his district, he is to make a return thereof to the bishop, through the archdeacon, in order that due inquiry may be made into the state of the vacant benefice, and sequestration be issued out of the Ecclesiastical Court.

III. He is, likewise, once in every year, previously to the archdeacon's visitation, and at other times when he shall be required, to inspect the churches and chapels within his district, with their chancels and churchyards, and the books, ornaments, and utensils thereto belonging; as also the houses, buildings, and glebes, belonging to the incumbents; and to make a return thereof to the archdeacon at his next visitation, noting all alterations, additions, decays, and dilapidations in the premises.

IV. He is also to inspect all parochial and national schools within his district, and to make a particular report yearly on the education of the poor, as connected with the established church; and to obtain from time to time such information respecting parochial matters as shall be required of him; and to make returns thereof to the archdeacon, to be by him transmitted to the bishop.

v. He shall likewise be ready to advise and assist the churchwardens within his district, in framing their presentments of all such things as are amiss within their respective parishes, and are by law presentable.

vi. He is also to call the clergy of his district together, whenever the bishop or archdeacon shall appoint; and take care to disperse such orders as shall be sent to him for that purpose.

vii. He is to inspect, at his annual visitation, and at any other time when he may see occasion, the licences of all stipendiary and assistant curates officiating within his district; and to give immediate notice to the bishop of any, who shall officiate as curates without being duly licensed.

N.B. The archdeacons will make a yearly report to the bishop of all returns which they have received from the rural deans.

[5. AN INSTRUMENT OF THE TITULAR ROMAN-CATHOLIC HIERARCHY OF ENGLAND,
FOR THE APPOINTMENT OF A Rural Dean IN THE COUNTY OF ESSEX—circa
A.D. MDCXXX.

FORMA CONSTITUENDI Decanum Ruralem.

RICHARDUS, Dei et apostolicæ sedis gratiâ episcopus Chalcedonensis, ordinarius Catholicorum Angliæ, et Scotiæ; dilecto nobis in Christo N. Green, presbytero, salutem in Domino sempiternam. Literarum scientia, vitæ et morum honestas, aliaque probitatis, et virtutum merita, quibus rev^{di}. dⁿⁱ. N. N. in comitatibus Essexiæ, ac Suffolciæ archidiaconi, commendaris testimonio, nos inducunt, ut tibi, in regimine ecclesiastico unâ nobiscum procurando, locum aliquem assignandum censeamus. Itaque, quò clerus, et populus catholicus, plurium oculis obnoxius, diligentiorum operam locet in vitâ rectè, et ad normam Christianæ perfectionis instituendâ te Decanum ruralem in comitatu Essexiæ eligendum, deputandum, et constituendum curavimus, ac tenore præsentium ejusmodi Decanum, cum potestate inquirendi in mores presbyterorum, et catholicorum laicorum, in prædicto comitatu degentium, seu commorantium, eosque monendi, exhortandi, consulendi; quin et eorundem nomina, si graviore correptione, vel etiam ecclesiasticâ poenâ digni habeantur, ad dominum archidiaconum in illo comitatu potestatem habentem deferendi, omnibus melioribus

modo, viâ, jure, formâ, atque ordine, quibus id meliùs, et efficacius possumus, eligimus, deputamus, et constituimus: præstito nihilominus per te, et per archidiaconum tuum nostro nomine recepto, in verbo sacerdotis juramento; quòd nobis, et successoribus nostris Angliæ, et Scotiæ, ordinariis, fidelis, et obediens eris; et sanctæ matris ecclesiæ, nostrisque, ac successorum nostrorum parebis mandatis. Volumus etiam, atque etiam in Domino hortemur, et mandamus, ut de supradictis omnibus præfato archidiacono tuo continuò, pro rerum momento ac conditione, rationem diligenter reddas. In quorum fidem præsentibus literis subscripsimus, et sigillum nostrum iisdem imprimi fecimus. Datum ann. à nativitate Domini. — Indictione — die verò mensis.

L. S. () Rich. Ep. Chalcedonensis.^{1]}

SECT. IV.—Diocese of Durham.

THE diocese of Durham comprises the whole counties of Durham and Northumberland (excepting² the jurisdiction of Hexham in the latter), and one parish in Cumberland. It is divided into two archdeaconries; viz. Durham and Northumberland. The former of which contains the deantries of Chester, Darlington, Easington, and Stockton. The latter, those of Alnwick, Bamburgh, Corbridge, Morpeth, and Newcastle-upon-Tyne.

Notices of the existence of deans rural in this diocese appear, for the first time, in the Council of the year MCCXX., under Bishop Richard de Marisco (*CC. M. B. et H. Vol. i. p. 573*); secondly, in that of the year MCCLV., under Bishop Walter de Kirkham (*CC. M. B. et H. Vol. i. p. 706*); and thirdly, in that of the year MCCCXII., under Bishop Richard de Kellow (*CC. M. B. et H. Vol. ii. p. 417*). In the *Constitutions*

(¹) [Fuller notices the bishop under the name of Chalcedon Smith: see *C. H. Cent. xvii. Book xi.* He was the second titular bishop of Chalcedon, constituted over the Roman Catholics of England. His predecessor in the prelacy was Dr. Bishop, the successor in MDCXXXIII. of Mr. George Blackwall, who governed that society, with the title of *Archypriest*, from the year MDXCVIII. Previous to the latter date, the English Catholics were under the superintendence of Cardinal Allen, who lived in Flanders, and founded the colleges of Douay and Rheims.—See *Dodd's Church History*, P. iv. C. i. B. iii. Art. v. p. 152.]

(²) The *First Report of the Ecclesiastical Commission* (A.D. MDCCCXXXV.) proposes that Hexhamshire, as it is called, belonging to the diocese of York, shall be transferred to that of Durham.

of Bishop de Kirkham, rural-decanal chapters are mentioned more than once. The passages have been cited in our previous pages.

From the *Valor Ecclesiasticus* Henrici VIII. I quote the following entries:—*Ep'atus* Dunelm. *decanatus* Cestrie in Strata—Ricardus Laton *decanus* ib'm—(Vol. v. p. 312). *Decanatus* de Langchestre Rob'tus Hyndmars *decanus* ib'm *incumbens*—(p. 314). *Decanatus* de Aukland Will'm's Strangways *cl'ic' decanus* ib'm—(p. 315). *Decanatus* de Derlington Cuthb't Marshall *decanus* ib'm—(p. 316). But of these *deanries*, one or two appear to have appertained to collegiate churches.

There are, at present, no rural *deans* appointed within the diocese of Durham. The archdeacons of Durham and Northumberland, I am informed, have, by virtue of their patents, and by immemorial usage, power to nominate officials, as they see fit. In the archdeaconry of Durham, there is always one official appointed for general purposes, and others with subordinate and local duties, but not under the denomination of rural *deans*. In the archdeaconry of Northumberland, it has not been usual to appoint an official, except in case of the unavoidable absence of the archdeacon for any length of time.

SECT. V.—Diocese of Winchester.

THE diocese of Winchester contains the whole county of Hants, the county of Surrey (excepting eleven parishes), one parish in Wilts, together with the isles of Guernsey, Jersey, Alderney, and Sark¹. There are two archdeaconries; viz. Winchester and Surrey. The former comprises the *deanries* of Alresford, Alton, Andover, Basingstoke, Drokinsford, Fordingbridge, Somborne, Southampton, Isle of Wight, and Winchester. The latter those of Ewell, Southwark, and Stoke. The islands of Guernsey, Jersey, &c. constitute two rural *deanries* under the presidency of their respective *deans*. *Deans* rural appear in connexion with the diocese soon after the commencement of the fourteenth century. They are noticed in a long canon *De archidiaconis, officialibus, decanis, et apparitoribus eorundem* of the *Synodal Constitutions* of Bishop Henry Woodloke (circa A.D. MCCCVIII.), the clauses of which, as far as they relate to *deans* rural, have been incorporated in our earlier pages, and may be referred to there, or in Wilkins's *CC. M. B. et H.* Vol. II. pp. 299, 300.

(¹) The *Church Commission* (A.D. MDCCCXXXV.) proposes no alteration in this diocese, except as to those parts which are to be transferred to the dioceses of Canterbury and London.

At that remote period, the office was in the joint appointment of the bishop and archdeacon, by express canon; but it afterwards came by devolution to the inferior clergy: with whom a custom has immemorially obtained of choosing a *Dean rural* for each *Deanry* at the archdeacon's visitation. I am not quite sure whether this custom prevails in both archdeaconries—Winchester and Surrey; but of the latter I can speak positively. The rural clergy *there* annually elect from among their own body a rural *Dean*, whose business it is to preach at the two ensuing visitations of the archdeacon and bishop's commissary. This officer is understood of old to have had the supervision of churches, and to have exercised the other functions of a parochial visitor. But these useful branches of duty have long since left him. His office is now-a-days so complete a nullity (save in respect of preaching), that Bishop Sumner, on his succession to the see, thought fit to establish the new and more efficient order of officers (under the same name and title), whose appointment is annexed. The latter, it is expressly provided, is in no way to affect the integrity of the elder institution; which remains in the same antiquated condition as before.

The new appointment belongs to the personal jurisdiction of the diocesan, and is held *durante episcopi beneplacito*.—See the *Commission* following: for which I am beholden to the venerable C. J. Hoare, archdeacon of Winchester.

The islands of Guernsey and Jersey, with their appendages, were heretofore rural *Deantries* of the diocese of Coutances in the dukedom of Normandy, and were annexed to the See of Winchester in the sixteenth century. See *Notæ Decanice Rurales*, Part IV. Sect. II. p. 195. and numerous extracts *sparsim* in our preceding pages. It is probable that the office of *Dean rural* was of very early institution in these Anglo-Gallic isles; for we find it distinctly set forth in the *Councils* of Rouen, that *Deans rural* exercised jurisdiction in Normandy before the Duke of Normandy, in the person of William I., became king of England.—See *CC. Rotomag. Provinc.* Part I.

APPOINTMENT OF *Rural Dean* IN THE DIOCESE OF WINCHESTER,
BY BISHOP SUMNER, A.D. MDCCCXXIX.

CHARLES RICHARD, by Divine permission, Bishop of Winchester, To our well-beloved and reverend brother A. B. clerk, M.A., rector of C., in the *Deanry* of D., in the county of E., and diocese of Winchester, greeting—

Whereas we have thought fit, upon mature consideration, to revive the ancient use of rural *Deans*, that, by persons of piety and integrity in every neighbourhood, we may be fully informed, at all times, of the state of our whole diocese—We, therefore,

constitute and appoint you, by these presents, to be a rural dean in the county of E., of a certain district comprising the parishes specified in the annexed list: and we require your fidelity and diligence, in observing, inquiring into, and duly reporting to us, all such things within the said deanry or district as it may be proper for us, and useful to the diocese, that we should know. And whereas we are desirous that our information may extend to every particular with which we ought to be acquainted, respecting the condition of the churches, chancels, and churchyards; the preservation of the parish-registers; the state of the glebe-houses, glebe-lands, and all things thereunto belonging; we shall transmit to you a printed list of Questions¹; to which, after personal visitation and inquiry in the several parishes within your district, you will return distinct and separate answers, together with such additional observations as, for our better information, you may think it needful to subjoin. We further desire that such parochial visitations may be renewed annually, and the returns transmitted to us, at our Castle of Farnham, on or before the first day of August in every year, to the intent that we may take such measures as the circumstances of the respective cases, and the general welfare of the diocese, may seem to require.—We likewise hereby call your attention to the charitable foundations, as well as to national or other schools, connected with the church, which already may have been, or hereafter shall be, established within your district; desiring you to inspect them personally, from time to time, as need may be, and your convenience will permit, and to make a report annually, on the day and month aforesaid, respecting their actual state and management.—Whereas also, it is expedient that we should have certain information of the vacancy of benefices within our diocese, we hereby require you, as soon as the avoidance of any living within your district shall have come to your knowledge, to notify the same to us; and, further, we desire you to see that the churchwardens of such vacant parish make suitable provision for the service of the church, until the induction of the new incumbent.

And whereas it is necessary that stipendiary curates, before they are licensed by the bishop, should take certain oaths, and make certain declarations and subscriptions, either before the bishop himself, or some commissary lawfully appointed by him, and it is more convenient for them to appear before a commissary in this our deanry, we therefore, by these presents, do constitute and appoint you, the said A. B., to be our commissary, for the purpose of administering to all stipendiary curates, whom we may intend to license within the deanry of D., the oaths of alle-

(¹) This printed List of Questions the Editor has not received.

giance, supremacy, and canonical obedience, and for seeing them make such declarations and subscriptions as are by law required; that, before we sign the licence of every such stipendiary curate, we may be certified that all things have been done in due order. And we also hereby constitute you our commissary within the said *Deanry*, for reporting to us in the matter of such commissions as we may see fit to issue for the exchange of glebe-lands, or the building, rebuilding, improving, or repairing glebe-houses, or for the laying out of money appropriated to a benefice by the Governors of Queen Anne's Bounty.

Given under our hand and seal, this day of in the year of our Lord One thousand eight hundred and twenty-nine, and of our Translation the second.

SECT. VI.—Diocese of Bangor.

THE diocese of Bangor contains the whole of Carnarvonshire (excepting three parishes); the better half of Merionethshire, one *Deanry* in Denbighshire, and another in Montgomeryshire¹. It is divided, according to Ecton, into three archdeaconries—Bangor, Merioneth, and Anglesea. Under Bangor are placed the *Deantries* of Arvon *alias* Uchor and Ister, Arllechwedd *alias* Uchaph, Isaph Nanconway and Cruthyn, and Lynn. Under Merioneth, those of Evionydd, Ardudwy and Estimanner, Arnsey, and Dyffrynclwyd and Kemerch. Under Anglesea, those of Llivon and Talybolion, Meney and Maltraith, Dydd and Turkely, and Twrelyn.

Within this part of the principality, Archdeacon Wilkins's *CC. M. B. et H.* afford no vestiges of *Deans* rural. Nor do any appear in other published records. The *Taxatio Ecclesiastica* P. Nicholai, and the *Valor Ecclesiasticus* Henrici VIII., are referred to in vain. It is probable that, at the date of those respective compilations, the office existed not: although Bishop Bethell informs me, it has continued from time immemorial in the diocese, and still obtains,—the *Deans* being appointed under the bishop's hand and seal. For the following *Commission*, employed by the late and present bishops of Bangor, I am indebted to Bishop Bethell.

(¹) The *Church Commission* (A.D. MDCCCXXV.) proposes that the sees of Bangor and Saint Asaph shall be united; and that the diocese shall consist of the whole of the two existing dioceses, (except that part which is in the county of Salop,) and of all those parishes in the county of Montgomery which now belong to the dioceses of Saint David's and Hereford.

HENRY WILLIAM, by Divine permission, Lord Bishop of Bangor, To our beloved in Christ, John William Trevor, clerk, vicar of the parish of Llanbeblig, in the county of Carnarvon, in our diocese of Bangor, greeting—

Forasmuch as our said diocese was heretofore, of old, divided into rural deanries or districts, and rural deans were appointed therein, we have thought fit (the care of the good government of our said diocese us thereunto moving) to continue the said ancient constitution: Unto you, therefore, (in whose industry, ability, and fitness in that behalf, we confide in the Lord) we do grant and commit free power and authority, by these presents, from time to time, as often as you shall think fit, to visit the several churches and parsonage and vicarial-houses within that part of the rural deanry of Arfon, in the county of Carnarvon, containing in its district all the parishes following; viz. Llanaelhaiarn, Clynnog, Llandwrog, Llanllyfni, Llanwnda, Llanfagdalen, Bettws, Llanbeblig, Llanfairisgaer, Llanrug, Llanberris, Llanddeniolen, Bangor, and Pentir-chapel, belonging to our said diocese of Bangor; and to inspect into the state and condition of the said churches, and of the churchyards, communion-tables, pulpits, desks, pews, vestments, books, and of all other things necessary for the decent celebration of Divine Service; and the state and condition of the parsonage and vicarial-houses; and to transmit unto us, fairly written in a book, once a year, at our Chancellor's visitation, or other time to be by us appointed for that purpose, a true account thereof, to the end that we may more effectually take order with the respective incumbents and churchwardens for the repair and provision of such things as shall be necessary. And we do, by these presents, constitute, ordain and appoint you, the aforesaid John William Trevor, rural Dean of that part of the rural deanry aforesaid, herein before specified, during our good will and pleasure; on the cession of the Reverend William Griffith, clerk.

In testimony whereof, we have hereunto caused our episcopal seal to be affixed, this seventeenth day of August, in the year of our Lord One thousand eight hundred and twenty-two.

H. BANGOR.

SECT. VII.—Diocese of Bath and Wells.

THE diocese of Bath and Wells contains the county of Somerset; which is distributed into three archdeaconries. 1. The archdeaconry of Wells comprehends the rural deanries of Axbridge, Carey, Frome, Glaston, Ilchester, Merston, and Poulet

alias Pawlet. II. The archdeaconry of Bath contains the deantries of Bath, and Redcliffe and Bedminster. III. The archdeaconry of Taunton enumerates within its jurisdiction the deantries of Bridgewater, Crewkerne, Dunster, and Taunton.

During the time that Bishop Drokensford presided over the see (A.D. MCCCIX.—MCCCXXIX.), he instituted deans rural; and it seems to have been the custom of the diocese to employ them during the episcopate of Ralph de Shrewsbury (A.D. MCCCXXIX.—MCCCLXIII.). See *CC. M. B. et H.* Vol. II. p. 745; and that of Thomas Beckington (A.D. MCCCXLIII.—MCCOCLXIV.). See Kennett's *Parochial Antiquities*, Vol. II. p. 351. *Ms. Add. ex Reg. Well.* Wilkins affords only one notice of deans rural in connexion with this see; viz. in the mandate of Bishop Ralph *De confessionibus tempore pestilentie*. They are not mentioned in the *Ecclesiastical Valors*.

The appointment to the office, the writer conceives to be vested in the bishop, as it has been, not long since, exercised by Bishop Law. See the following *Instrument*; for which I am indebted to the Reverend John Heathcote Wyndham, rector of Corton-Denham, rural dean of Merston.

APPOINTMENT OF Rural Dean IN THE DIOCESE OF BATH AND WELLS,
BY BISHOP LAW, A.D. MDCCCXXX.

GEORGE HENRY, by Divine permission, Bishop of Bath and Wells, To our well-beloved and reverend brother A. B., clerk, Master of Arts, rector of C., in the deanry of D., and our diocese of Bath and Wells, greeting—

We being desirous fully to understand, and constantly to be informed of, the state of our diocese, and the condition in which all things are in all parts thereof, and having a good account and opinion of the piety and learning, and confiding in the diligence and prudence of you, the said A. B., do, by these presents, constitute and appoint you to be rural dean in the deanry of D. aforesaid; requiring your fidelity, care, and diligence, in observing, inquiring into, and, from time to time, making a report to us of all things and persons within all the parishes of the said deanry, concerning which it may be proper for us, or useful to our diocese, that we should have information. And, at this time, we particularly desire and require of you, that, in order to your own knowing and being able to inform us of the true state and condition of the said deanry, you will, as soon as with conveniency you may, visit parochially, and examine, every church, and chapel, and house of the minister, within the same, according to the Articles of Inquiry delivered to the churchwardens at our last

triennial visitation, to which we refer you for your better instruction and guidance in the discharge of your duty herein: and, after such examination had, we desire, moreover, that you will leave in writing, under your hand, an order at each place, specifying the things which you shall judge wanting to be repaired, amended, and done there; and that you will, at the end of the said order, require that every such paper be, by such a limited time as you shall think proper, returned to you, with a certificate at the bottom of it, signed by the minister or church- or chapel-wardens, that all things are repaired and done, according to what is therein stated. And, when the said paper and order, with the said certificate annexed, shall be so returned to you, we desire the same to be forthwith transmitted to us, together with such observations thereon as you may judge to be necessary for our information and further proceeding in the premises.

And further, we expect and require your fidelity, care, and diligence, at all times, in observing, inquiring into, and reporting to us, as occasion shall require, an account of all irregularities and disorders of all kinds, which may happen; and the behaviour of all persons, and the state of all things, within your said *Deanry*. In doing of which faithfully, you, the said rural Dean, will very much assist us, your bishop, in the discharge of the great duty incumbent upon us. In witness whereof, we have caused the seal (which we use in this behalf) to be hereto affixed.

Dated, under our hand, in our palace at Wells, the second day of December, in the year of our Lord One thousand eight hundred and thirty, and in the seventh year of our Translation.

SECT. VIII.—*Diocese of Bristol.*

THE diocese of Bristol was one of the six sees erected by King Henry VIII. "It was taken out of Salisbury, for the most part, by the separation of the county and archdeaconry of Dorset from that diocese, and from Worcester, by the separation of several parishes in Gloucester (part of which lay in Bristol city, in that county); and also from Wells, which had three churches or chapels in Bristol city." At present, this diocese contains nearly the whole of the county of Dorset—constituting its only archdeaconry: within which are comprehended the *deantries* of Dorchester, Bridport, Pimperne, Shaftesbury, and Whitchurch. The *deanry* of Bristol consists

of fifteen parishes within the liberties of Bristol city, and of seventeen outlying churches and chapels in Gloucestershire¹.

In the *Valor Ecclesiasticus* Henrici VIII. A.D. MDXXXIV., the names of the rural deans then in each deanry, within the archdeaconry of Dorset, are mentioned; and it is said, the archdeacon paid them *ixs. iiijd.* each, as an annual stipend: but this appears to have been afterwards disallowed by the Court of the diocese.—See printed *Valor* Henr. VIII. Vol. I. p. 231; and Boswell's *Ecclesiastical Division of the Dioceses of Bristol*, p. 16.

At the above date, however, it must be remembered, the diocese of Bristol had not been established. Dorset formed a part of the diocese of Sarum till the year MDXLII.; and our remarks would more properly be transferred to the latter diocese. The following is extracted from the *Valor* referred to:—

Dioc'. Sar'. Dors'. Archidiaconat'. Decanat' de Byrport.

Henric'. Dyvenell Decan'. Rualis ejusd'.	} £. s. d. — ix iiij	£. s. d. — — —
Valet in p'fic'. ejusdm annual'. recept. de archidiacono Dors'. p tempe existent'.		
Inde in resolut'. redd'. ejusd'. decanat'.		— n ^l . —
et reman'.		— ix iiij
inde p x ^{ma}		— — xi q'

It seems that Henry Dyvenell paid, as rector of Bridport, to the archdeacon of Dorset, in *synodals and procurations*, 10s. 6d.—See Vol. I. p. 231. The other rural deans were—

Decanatus de Dorchester Dñs Willms Barvannach—valued as above, Vol. I. p. 242.

..... de Whytechurche, Will'us Wydenoche—valued as above, Vol. I. p. 257.

..... de Pymp'ne, Joh'es Whyte—valued as above, Vol. I. p. 268.

..... de Shafton, Thomas Phyllypps—valued as above, Vol. I. p. 286.

Bishop Kaye, "upon mature consideration," thought fit to revive the ancient authority and use of rural deans in the year MDCCCXXIV.; and the institution has

(¹) The *Church Commissioners* (A.D. MDCCCXXV.) recommend, in their *Report*, that the sees of Bristol and Llandaff shall be united (the county of Dorset being transferred from the former to the diocese of Salisbury), and that the diocese shall consist of the city of Bristol and adjacent parishes, now in the diocese of Bristol; and of the present diocese of Llandaff; with the addition of those portions of the county of Monmouth, which are now in the diocese of Saint David's and Hereford,—and of certain parts of the deanry of Brecon, now in the diocese of Saint David's.

been continued by his successor, Bishop Gray.—*See the Commission following*; for which, with its subjoined letter of explanation, containing many valuable hints by Bishop Kaye to a newly-appointed Dean, I am obliged to the Rev. Christopher Fleet, rector of Durweston and Bryanstone—*rural Dean of Whitchurch*—a very extensive deanry, over which two rural deans are usually appointed.

APPOINTMENT OF Rural Dean IN THE DIOCESE OF BRISTOL,
BY BISHOP KAYE, A.D. MDCCCXIV.

JOHN, by Divine permission, Bishop of Bristol, To our well-beloved and reverend brother A. B., clerk, M.A., rector of C., in the deanry of D., and our diocese of Bristol, greeting—

Whereas, we, being very desirous fully to understand, and constantly to be informed of, the state of our diocese, have, upon mature consideration, thought fit to revive the ancient authority and use of rural deans, as one of the properest and most conducive means in order to obtain this end; that, by persons of the best ability and integrity in every neighbourhood, we may be, at all times, fully informed of the state and condition in which all things are in all the parts of our said diocese: We, therefore, having a good account and opinion of the piety and learning, and confiding in the diligence and prudence, of you the said A. B., do, by these presents, constitute and appoint you to be a rural dean in the deanry of D. aforesaid, requiring your fidelity, care, and diligence, in observing, inquiring into, and, from time to time, making a report to us of all things and persons, within all the parishes of the part of the said deanry to you assigned, concerning which it may be proper for us, or useful for our diocese, that we should have information. And, at this time, we particularly desire and request of you, that, in order to your own knowing, and being able to inform us, of the true state and condition of the said deanry, you will, as soon as with conveniency you may, visit¹ parochially, and examine, every church, and

(¹) In a Letter of explanation, Bishop Kaye further adds:—"The point to which I am most anxious that you should direct your attention, is, the state of the churches in the deanry, and of the houses of the *non-resident* incumbents. I conclude that a resident incumbent will, for his own comfort, take care that his house is in good repair. I enclose a list of the benefices in the deanry, in which I have marked what incumbents are resident, and what are non-resident.

"In looking at the churches, you will be so good as to ascertain, whether there is a sufficient provision for draining and ventilating them;—whether the surplices, books, communion-cloths

chapel, and house of the minister, within the same; and, after such examination had, we desire, moreover, that you will leave in writing, under your hand, an order, at each place, specifying the things which you shall judge wanting to be repaired, amended, or done there; and that you will, at the end of the said order, require that every such paper be, by such a limited time as you shall think proper, returned to you, with a certificate at the bottom of it, signed by the minister and church- or chapel-wardens, that all things are repaired and done according to what is therein directed. And when the said paper and order, with the said certificate annexed, shall be so returned to you, we desire the same may be forthwith transmitted to us, together with such observations thereon as you may judge to be necessary for our information and further proceeding in the premises. In doing of which faithfully, you, the said rural Dean, will very much assist us, your bishop, in the discharge of the great duty incumbent on us. In witness whereof, we have caused our seal, which in this behalf we use, to be to these presents affixed.

Dated, under our hand, this twenty-sixth day of October, in the year of our Lord One thousand eight hundred and twenty-four, and in the fifth year of our consecration.

SECT. IX.—Diocese of Carlisle.

THE diocese of Carlisle, according to Browne Willis, “contains the better half of Cumberland and Westmoreland, under the government of one archdeacon; viz. of Carlisle; which has the Deaneries of Allerdale, Carlisle, Penrith, and Westmoreland, belonging to it.”

cloths and plate, are in good order;—whether any buildings have been pulled down, or materials sold, without a faculty from the ordinary;—whether any pews have been enclosed without a faculty, so as to encroach upon the free sittings, and thereby exclude the poor from the church;—whether the churchyard is properly fenced and kept; &c.

“With respect to any thing which may want correction in the churches, it will be sufficient to leave written directions with the churchwardens, in the manner specified in the appointment; but in the respect to the glebe-houses, it will, perhaps, be better that you should only report to me, and that I should give the directions.

“If in any instance you have reason to suppose that improper exchanges, or alienations of glebe, or of any kind of church property, have taken place, I will thank you to inform me; &c. &c.”

Neither Wilkins's *CC. M. B. et H.* nor the *Eccelesiastical Valors* afford the least information respecting *Deans rural* in the diocese of Carlisle. During Bishop Douglas's occupation of the see (*A.D.* MDCCCLXXXVII.—MDCCXCI.), I have been told, he availed himself of their assistance in overlooking the country churches and clergy; and, from having witnessed the utility of the institution in the diocese of Carlisle, purposed to have introduced it into that of Sarum, on his translation thither in the year MDCCXCI., had he found precedents for it in the latter see.—*Vide Sarum Documents.*

To the late Registrar of the diocese of Salisbury I owe this information—which I relate exactly as I have received it. But I must add, that Bishop Percy is inclined to doubt its correctness, as far as the diocese of Carlisle is concerned; inasmuch as no mention of the office of *Dean rural* is to be found in the registers of that see, and it is believed *never* to have existed in the diocese.

SECT. X.—*Diocese of Chester.*

THE diocese of Chester includes the entire counties of Chester and Lancaster, part of the counties of Westmoreland, Cumberland, and York; two chapelries in Denbighshire, and five parishes in Flintshire. It is divided into two archdeaconries: I. Chester—containing the *deantries* of Chester, Frodsham, Malpas, Macclesfield, Middlewich, Nantwich, Wirral, Blackburn, Leyland, Manchester, and Warrington—(which *deantries* were in Lichfield diocese till the erection of the see of Chester in MDXLI.). II. Richmond—containing the *deantries* of Amounderness, Furness, Kirkby-Lonsdale, Kendal, Catterick, Boroughbridge, Richmond, and Coup-land, (all which were subject, under the Archdeacon of Richmond, to the see of York, till MDXLI.¹).

The earliest notices of *Deans rural*, within the ecclesiastical territory constituting the modern diocese of Chester, are found in documents of the twelfth century; at

(¹) It is proposed in the *First Report of the Church Commission*, *A.D.* MDCCCXXXV., that the *deantries* of Amounderness, Blackburn, Leyland, Manchester, and Warrington, shall constitute a new see, under the title of Manchester; and that the *deantries* of Richmond, Catterick, and Boroughbridge, of this diocese, with the *deanry* of Craven, and such parts of the *deantries* of Ainsty and Pontefract, in the diocese of York, as lie westward of the *Liberty* of the Ainsty, and the *Wapentakes* of Barkston Ash, Osgolderos, and Staincross, shall constitute a new see, under the denomination of Ripon. It is also proposed that the *deantries* of Furness and Cartmel, and Kirkby-Lonsdale, shall be added to the diocese of Carlisle.

which time it formed part of the dioceses of York and Lichfield. The Deans of the different Deantries were then appointed by, and were subject to, their respective archdeacons.

On the erection of the see of Chester by Henry VIII. (down to which date the office appears never to have been extinct in the archdeaconries of Chester and Richmond) the constitution of the charge was materially changed. From being terminable at the will of the archdeacon, it became perpetual, and was leased out for lives; as the following documents (for which my readers are under obligation to the Lord Bishop of London, and W. Ward esq., the deputy-registrar of the diocese) will shew.

The Deantries of the diocese of Chester are distributed under other jurisdictions in the *Valor Ecclesiasticus* Henrici VIII. (the see not being then founded); but the Deans themselves are not noticed. The "*Dignitas Metanatus de Leyland*" is said to be "*in manibus Will'mi Knyght Arch'i ni Cestrie.*" See the printed *Valor Eccles.* Vol. v. p. 231.

So much has been said on the Decanal jurisdiction of this populous diocese in the foregoing pages, and so much will hereafter appear, in the annexed patents and other documents of institution of Deans rural and their subject officers, that I need merely add, in this place, that the office of rural Dean of all the Deantries is now exercised by two persons; the archdeacon of Chester, and the commissary of Richmond. "Their authority as rural Deans," the bishop of London obligingly communicates, "is of very ancient date, and in some of its branches is quite independent of the bishop. The archdeacons of Chester and Richmond, as such, have no jurisdiction whatever."

Two of the annexed patents were granted subsequently to the consolidation referred to.

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1. PATENT FOR THE OFFICE OF Rural Dean OF THE Deantries OF KENDALL, LONSDALE, AND CATHERICK, TO THOMAS BLAND, A.D. MDLI. (*ex Libro MSS. penes W. Ward, Registr. Episc. Dioces. Cestriens.*)

JOHĀNES permissione divinā Cestriensis Episcopus, autoritate Domini nostri Domini Edwardi Sexti Dei gratiā Angliæ Franc' et Hiberniæ Rⁱ. Fidei Defensor. et in terrā ecclesiæ Anglicanæ et Hibernicæ supremi capitis legitimè fulcit. Dilectis nobis in Christo Domino Thomæ Bland presbytero salutem, gratiam, et benedict.

Officium ~~Decani~~ ~~Decanatus~~ de Kendall, Lonsdale, et Catrige n^{re} Cestriensis diocess. ac potestatem ad inquirendum et investigandum de et super quiscunque criminibus, excessibus, et delictis, quorum correctio et reformatio ad forum ecclesiasticum de jure et statutis hujus regni Angliæ, et non aliter, pertinere dinoscunt^r. contra quoscunque diocess. et jurisdictionis Cestriensis infra decanatum de Kendall, Lonsdale, et Catrige prædict. comorant. Ipsaque crimina, excessũ. et delict. qualitercunque debet probata (criminibus simoniæ et hæresis viz^t. qual'cunque personarum duntaxat exceptis) ecclesiasticè corrigend. puniend. et reformand. Necnon ad proband. et insinuand. omnia et singula testamenta legitimè coram te probata, sive probanda, quarumcunque personarum infra dict. decanat. deceden. quarum tamen bona credita et catal. mortis suæ tempore ad sumam quadraginta librarum de claro non extendunt. Ac etiam executionem eorundem testamentor. executori, sive executoribus, in eisdem nominato, sive nominatis, administrationemque bonorum quarumcunque personarum ab intestato, vel p viâ intestati, infra dictum decanatum deceden. quorum bona credita et catella ad sumam 40l. non extendunt, illi vel illis, quibus de jure et statutis hujus Regni Angliæ debeatur comittend. Insuper ad recipiend. inventoria omnium et singulorum bonorum, jurium creditũ, et catellorum, tam eorundem Testamium, quam ab intestato deceden. juxta juris in hâc parte exigentia. Necnon ad levand. ac recipiend. omnia et singula feod. et proficua, approbationem testamentor. et commissionu. administracõnum hujusmodi, ad usum et comòdum tuum proprium, ac copõtu. calculum, sive ratiocinium bonorum creditorum, et catellorum huĩoi, tam de prædictis executoribus, quam administratoribus petend. recipiend. audiend. et final^r terminand. eisdemque executores et administratores in eâ parte si justu. videat^r acquietand. et dimittend. Sinodalia, ac etiam pensiones, et alias quascunque pecuniarum summas, nobis seu successoribus nostris infra decanat. prædict. debet. sive debend. levand. colligend. et recipiend. ac de receptis acquietancias et finales deliberationes faciend. sigilland. et deliberand. ac de eijdem nobis et successoribus nostris rationem et computu. reddend. Necnon omnia alia et singula ad officium decanat. hujusmodi, tam de jure, quam de consuetudine pertinent. et spectant. faciend. exercend. expediend. et exequend. Tibi in *virtute juramenti*¹ tui coram nobis de officio prædict. fideliter exequend. in hâc parte priùs præstit. damus et concedimus atque auctoritatem nostram pro nobis et successoribus nostris tenore præsentium in præmissis omnibus et singulis, cum cujusalibet censuræ et ecclesiasticæ cohercionis potestate. Teque decanum nostrum et successorum nostrorum præficimus

(¹) These words—*virtute juramenti*, &c. to damus, are in no future patent.

ibidem habend. tenend. et gaudend. officium Decani de Kendall, Lonsdale, et Catriche predict. tibi de nobis et successoribus nostris p^r teipsum vel ex justâ causâ p^r tuum sufficiente. deputatu. exercend. ad terminum vitæ tuæ, unâ cum omnibus proficiis et feodis de approbationibus testamentorum et cōmissionibus administrationum predict. ac omnibus aliis proficiis, feod. et cōmoditatibus, eidem officio de jure *vel consuetudine* spectan. et pertin. unâ cum potestate et auctoritate omnia et singula præmissa. nomine nostro et successorum nostrorum faciend. exercend. et expediend. durante ut p^r dicit^r vitâ tuâ naturali. In cujus rei testimonium sigillum &c.—Anno 1551—24 May. 4 Edw. 6th.

2. A PATENT OF THE OFFICE OF REGISTRAR TO THE Rural Dean OF AMOUDERNESS DEANRY, IN THE DIOCESE OF CHESTER, A.D. MDXCII.

OMNIBUS Christi Fidelibus ad quos hoc præsens scriptum pervenerit, seu quos infra scriptum tangunt, aut tangere poterint quomodolibet in futurum, Willielmus, miseratione divinâ Cestriensis episcopus, salutem in Domino sempiternam ac fidem indubiam præsentibus adhiberi. Noverint universitas vestra quod cum nos nuper officium Decani ruralis decanat. de Amounderness pro nobis et successoribus nostris Ricardo Parker clerico, vicario de Chipping archidiaconatûs nostri Richmondie dedimus, concessimus, et confirmavimus, eidem Ricardo Parker nullum Registrarium, sive actorem suorum scribam, infra decanatu. predict. assignavimus, nunc vero certas ob causas nos in eâ parte specialiter moventes præcipuè verò quia omnia acta, et cætera infra decanatum prædictum gesta, juxta debita juris exigentia, inactitari et registrari curabimus, Ricardum Parker literatum ad exercendum officium Registrarii infra et per totum decanatum de Amounderness predict. quandocunque et quotiescunque opus fuerit, pro nobis et successoribus nostris, præficimus, ordinamus, et constituimus per præsentes habend. tenend. gaudend. fruend. et occupand. dictum officium Registrarii infra decanat. predict. eidem Ricardo Parker et deputat. sive deputatis suis, unâ cum omnibus et singulis proficiis, vadiis, feodis, et cæteris emolumentis quibuscunque, Registrario ejusdem decanat. qualitercunque debit. et solvi consuet. in tam amplis. formâ et modo, quam alii dicti decanat. Registrarii habuerint, tenuerint, vel gavisi fuerint, vel possiderint, vel sic habere, tenere, gaudere, vel possidere debuerunt, durante vitâ naturali ejusdem Ricardi Parker et non diutius. In cujus rei testimonium sigillum nostrum episcopale præsentibus apposuimus.—Dat. Oct^o. die mensis Octobris anno Dñi. 1592.

In the same ~~Engl.~~ book of the Registry Office of Chester, there is a copy of a patent of the office of Registrar to all the separate rural deantries throughout the diocese to Humphry Lloid, anno MDXCVIII.—viz. *decanatus* de Bangor, Malpasse, Chester, Wirral, Namptwich, Middlewich, Frodsham, Maxfield, Manchester, Warrington, Leyland, et Blackburn, *infra archidiaconatum Cestriensem*—*decanatus* de Andernes-sala, Amounderness, Lonsdale, Furness, Copeland, Kendall, Burrowbridge, Catherick, et Richmond, *infra archidiaconatum Richmond*.

From Mr. Ward's evidence before the Ecclesiastical Commission (MDCCCXXX.) it appears that the patents of the diocesan and decanal registrarships are still kept distinct. Mr. Keene is principal registrar of the diocese, with the exception of the twelve rural deantries of Chester, of which Mr. Ward is patentee. But the former is registrar of the rural deantries of Richmond. See *Eccles. Courts Report*, MDCCCXXXII. pp. 181, 182.

3. A CHARGE TO THE *Decanus Rural* OF THE DIOCESE OF CHESTER, A.D. MDXCIV.

CORAM Rev^{do}. in Christo P^{re} et D^{ño} D^{ño} Willio Miseracord. Divinâ Cestrien. Ep^s in Pallatio suo Ep^{li} Cestr. pub^{ce} ibi^m pro Triⁿali in p^{nti}â mei Joannis Margell No^{ti}. Pub^{ci}, xxvi^{to}. die mensis Junii, anno Dom. 1594.

Quibus die et loco comparuerunt p^{re}. Robertus Collegne A.M. *Decanus Ruralis* *Decanatus* de Warrington, Johes Osbaldeston A.M. *Decanus* de Blackburn, Thomas Richardson Cl^o. *Decanus* de Manchester, Johes Hyde Cl^o. *Decanus* de Macclesfield, Johes Shaw Cl^o. *Decanus* Medii Vici, Willm^{us} Lingard Cl^o. *Decanus* Vici Malbani, et Petrus Makinson Cl^o. *Decanus* de Leyland, et dictus rev^{du}s pater monuit et injunxit eos, et eorum quemlibet, tam virtute juramentorum suorum als (ut idem rev^{du}s pater asseruit) ad sancta Dei Evangelia primitus per eos prestitor. quàm etiam sub pœnâ juris in ipsos infligend. casu quo decreto dicti rev^{di} patris subscripto parere neglexerint, quatenus ipsi et eorum quilibet *infra mensem* post festum Paschalis quolibet annorum prox. sequend. non solum notam perfectam omnium et singulorum testamentorum per eos probatoru. et adm^{ra}com per eos commis. et concess. unâ cum summis separat. obligationem et nominibus partium obligatur. verum etiam veras copias detectionum eis et eorum cuilibet in visitationibus suis p^{re}. sentat. *infra mensem* post festum Michlis, unâ cum actibus quibuscunque pro pœnitentiis contra criminosos hu^moi in recordis vestiis inact. introit. et reg^{ra}t. et certificatoria separalia pœniten. hu^moi, ac etiam excoⁱcat. quorumque *infra decanat*.

præd. unâ cum die excom. et tempore in quæ steterunt excom. eidem revdo patri subscription. manuum suarum pariter exhibeant.—Et ulterius dictus revdus pater monuit et injunxit dictis decanîs et eorum cuilibet, quatenus ipsi in quâlibet ecclesiâ sive capellâ infra decanat. prædict. à quibuslibet curatis, lectoribus, et ludimagistris, officio suo fungentibus tempore visitationum suarum huîmoi inquirent an huîmoi lectores, curati sive magistri sunt ad instruend. vel ad divina celebrand. à dño revdo patre sive ejus authâte ibidem licentiat. Et quod dicti ludimagistri, sive curati literas huîmoi si quâs habeant ostendant, et casu quo inquisitione hujusmodi constiterit aliquos curatos, lectores, sive ludimagistros, non fuisse legitimè in locis in quibus commorantur licentiat. eidem decanîs et eorum cuilibet sub poenâ prædictâ injunxit, quatenus ipsi de tempore in tempus nomina eorundem non licentiatoru. præd. eidem revdo patri exhibeant, et quod in mandatis dant guardianis cujuslibet ecclîæ sive capellæ prædictæ quatenus ipsi hujusmodi lectores, et curatos ad divina celebranda nisi fuerint legitimè licentiat, nullo modo sinant sub poenâ contumaciarum post mentionatum fecerint, infligend. et monuit eosdem decanos et eorum quemlibet quâtus ipsi notam perfectam in libro papyri descriptam de processu suo in decanatibus suis per annum spatium ult. præterit. sub manibus suis exhibeant. Et postea vid. xx^{mo}. die mensis Julii anno Dñi m̄dxciv. præd. comp. comp^t. p^{ter} Richus Eaton clicus, decanus ruralîs decanatûs de Frodsham, et dictus revdus pater monuit et injunxit ei sub poenâ præd. ad perimplend. et performand. decreta prædicta et ad faciend. prout superius inactitatur. Et postea comparuerunt p^{tri} dicti Robertus Collegne, Johes Osbaldeston, Johes Shaw, Willius Lingard, et Petrus Makinson, et exhibuerunt juxta monitionem dicti revdi patris separales libros papyri continen. nomina oîum et singulorum testamentor. per eos hoc anno præterito probator. et adm̄raconum concess. ac etiam criminum et defectuum putat. Et quia dñi Thomas Richardson et Johes Hyde non comparuerunt istis die horis et loco ad exhibendum &c. Dñus revdus pater pñunciavit contumac. reservatâ eorum poenâ. Et alterius quia constat dño rdo patri per certificatoria et alia lûma documenta Richum Eaton clicum com̄nem pro toto decanatu suo violâsse et irregularitèr processisse, idem revdus pater injunxit ei sub poenâ juris et contemptûs monitionis dicti rdi patris quatenus ipse imposterum, donec constiterit de voluntate dicti rdi patris, officio decanî nullo modo fungi p̄sumat. Ipsumque ab officio suo suspendend. decrevit et suspendit donec duxerit eundem relaxandum.

4. PATENT OF THE OFFICE OF ~~Mutal~~ ~~Dean~~ OF AMOUNDERNESS ~~Deanry~~, IN THE
DIOCESE OF CHESTER, TO RICHARD PARKER, A.D. MDXCVIII.

OMNIBUS Xñ fidelibus ad quos p̄tes t̄res pervenint Richardus p̄missione
divinā Cestrienā. Ep̄s saltem in Dño sempiternam ac fidem indubiam p̄tibus adhi-
bere volumus.—Sciatis nos p̄fat. Richardm̄ ep̄m antedict. pro div̄sis bonis et lūmis
causis et consideracōibus, nos ad hoc justē moven. dedisse, concessisse, ac pro nobis
et successoribus n̄ris confirmasse, p̄ut damus, concedimus, et confirmamus, p̄ p̄tes
dilect. nobis in Christo Rich. Parker clico vicar. eccl̄ie p̄ochial. de Chippinge offic̄m
decanat. decanat. n̄ri r̄uñ. de Amounderness n̄re Cestr. dioc. jam k̄imē vacant. cū oībe
et singulis feod. p̄ficiis, emolument. vadiis, et comoditat. quibuscunque eid. officio
p̄tinent. ac decano ejusdem decanat. rural. vel de jure, seu consuetudine hactenū
quovis modo debit. et spectant. ad proband. approband. ac pro virib̄ ac valore
eorund. insinuand. et p̄ actiand. testamenta et ultimas voluntates quorumque infra
decanat. p̄d. deceden. quor. bonor. et catt. sum̄a (confect. inde pleno et fideli in-
ventar.) ultra sum̄iam quadragint. librar. legalis monete Anglie in valore non extendit
(testament. milit. armigeror. et c̄licor. tantummodò exceptis) admiñac̄oemque t̄m
ōinm̄ et singulorum bonor. juror. creditor. cattell. et chattell. h̄mōi executor. in
eisdem testament. noiatis senaliis quibuscunque, p̄nt jura et statuta regni Anglie
in eā parte exigunt et requirunt. quam alior. quorumcunque ab intestato seu per viam
intestati infra decan. p̄d. deceden. quoru. bonor. sum̄a (confect. inde pleno et fideli
inventar.) sum̄as p̄d. non excedit illi vel illis cui vel quibus de jure et statutis p̄ctis
committend. est in debit. juris formā committend. ac pro causis necessariis oīa et
singula bona jur. credit. cattell. et chattell. p̄. d. colligend. sequestrand. ac sc̄dum
quod juris fuerit disponend. computumque calculi: et ratiocin. ab h̄mōi executor.
adm̄rator. collector. et sequestrator. audiend. et recipiend. ac sic computantes ab
ulterior. compo. acquietand. et exorierand.—Ac insup. de et sup. quibuscunque
criminibus excess. et defect. om̄m et singulor. infra decanat. p̄dict. delinquent.
inquirend. et inquiri faciend. oēs et singulos laicos¹ criminosos et delinquentes inibi
detectos et repertos (adulter. et incestuosos tantummodo except.) per censuras eccl̄ias,
aliaque juris remedia l̄tima, coercend. corrigend. puniend. et reformand. ac p̄nas
poenitentiasque salutare et condignas eis, et eoꝝ. cuilibet pro h̄mōdi delict. infi-
gend. injungend. exequique mandand. et obtinend. c̄eteraque omnia et singula, que

(¹) This patent is confined to punishing the laity, which Bland's is not; nor that to
Bland and Parkinson of A.D. MDLXIX.

in præmissis vel circa ea necessaria fuerint, seu quomodo libet opportuna, cum cujuslibet ecclīacæ correctionis auctate faciend. exercend. et expediend. tibi p'fato Richardo Parker, de cujus fidelitate, doctrinā, circumspectionis industriā, et vitæ integritate, plenam in Dño fiduciam habemus, vices et auctatem nostras commissimus p'ut p' prētes committimus teque *Decan.* et cōmissariu. nostru. infra et p' totum *Decanatu.* p'dictum, ad p'missa omnia et singula exequend. cum oībus et singulis eisdem annexis, connexis, emergentib^a et dependentibus quibuscunque preficimus, ordinamus, et deputamus, p' p'ētes, habend. gaudend. et exercend. dictu. officiu. *Decani* et commissarii ad supra scriptis sic ut permittitur exequend. infra et per totu. *Decanat.* de Amounderness p'dict. p'dictu. cu. oībus et singulis feodis, p'ficiis, emolumentis, vadiis, et cæteris cōmoditatibus p'dictis, tibi p'fato Richardo Parker et deputato seu deputatis assignato seu assignatis tuis quibuscunque, durante totā vitā naturali tui p'dict. Richardi Parker, in tam amplis modo et formā (exceptis tantūm præceptis) prout alii dicti *Decanatūs rurales Decani* antehāc idem officiu. habuerunt, tenuerunt, vel eisdem gavisī fuerunt, sive illud officium habere, tenere, vel eodem gaudere, de jure, consuetudine, sive aliquo alio modo ūtimo, debuerunt aut poterunt, possuntve, vel debent, redend. inde annuatim nobis et successoribus nostris Cestriens. episcopis redditum annualem quadragint. solidoru. legalis monete Angliæ in festis annunciationis Beatæ Mariæ Virginis, et Sancti Michaelis Archangeli, per equales portiones. Proviso¹ semper quod si continget p'dict. redditu. annualem quadraginta solidoru. aut aliquam inde parcellam à retro et insolut. fore p' spatū. quindecim dierum post aliquod predictor. festor. in quo solvi debet, ac durant. termino p'dicto quod extunc hæc præsens concessio irrita sit et nulla, ac bene liceat mihi p'dict. Richardo Epō Cestriensi, ac successoribus meis, p'dictu. officiu. *Decanatūs ruralis* ante dicti in manus nostras resumere, ac in pristino statu nostro re habere, hāc p'sent. concessione aut aliquā re in eād. specificatā nullatenus obstant. In cujus rei testimonium sigillum nostrum episcopale prētibus apposuimus datis vicesimo quarto die mensis Novembris, anno Dñi millesimo quingentesimo nonagesimo octavo et nostræ translationis ad episcopatum Cestriens. anno secundo.

By a patent dated MDLXII., three of the rural *Decanates* of the diocese of Chester, viz. Chester, Malpas, and Bangor, were conferred on the vicar-general and official principal of the diocese, Robert Leech.

(¹) This proviso never used in any subsequent patent.

5. PATENT OF THE OFFICE OF COMMISSARY OF RICHMOND, AND ALSO OF ~~Rural Dean~~,
TO EDMUND MAINWARING AND MARK PICKERING, ANNO MDCXV.

OMNIBUS Christi fidelibus ad quos hoc præsens scriptum pervenerit Georgius permissione Divinâ Cestriensis Episcopus salutem in Domino sempiternam. Sciatis nos præfatum episcopum pro diversis considerationibus nos ad hoc justè mōvent^r. dedisse, concessisse, et hoc præsentī scripto nostro pro nobis et successoribus nostris confirmasse, dilecto nobis in Christo Edmundo Mainwaring L.L.B. et civitatis Eborum Gen. et Marko Pickeringe Artium Bacc. Coll. Æd. Christi Univ. Oxon. officium cōmissariatūs sive officialitatis in et per totum archiñatum nostrum Richmondiæ unà cum omnibus et singulis ~~decanatibus~~ ruralibus infra archiñatum prædict. (excepto tantum ~~decanat.~~ de Amounderness) nominatim ~~decanat.~~ de Richmond, de Catherick, de Burrowbridge, de Kirkby Lonsdale, de Kirkby Kendall, de Furness, et de Copeland. et ipsos Edmundum Mainwaring et Marckum Pickering cōmissarium, sive cōmissarios, et ~~decanum~~ ruralem, sive ~~decanos~~ rurales, nostri prædict. episcopi ac successorum nostrorum facimus, ordinamus, et constituimus per præsentēs, ad cognoscend. et procedend. in omnibus et singulis causis, et negotiis, litibus, et querelis, tam matrimonialibus divortii, quàm matrimonium tangent. et aliis spiritualibus sive ecclesiasticis causis quibuscunque, sive ex officio mero mixto vel promotō, sive ad alicujus partis instantiam, partiumve instantias mot. seu movend. et ad forum, cognitionem, et jurisdictionem nostram ecclīam, ad nos et successores nostros de jure consuetudine vel aliis quomodolibet spect. sive pertinent. Eosque et ea cum suis incidentibus, emergentibus, dependentibus, annexis et connexis quibuscunque, audiend. discutiend. examinand. decidend. et fine debito determinand. Necnon de et super excessibus et delictis nominatim *de incestu et adulterio*¹ et aliis criminibus quibuscunque ad forum et cognitionem ecclīam spectant. infra archiñatum nostrum prædict. per quoscunque *sive clericos et laicos* cōmissis sive cōmittendis, inquirend. et inquire facienda. eosque et ea sic reperta et inventa, debitè corrigend. puniend. et reformand. poenasque, punitiones et poenitentias ecclīcas, salutare et condignas, omnibus et singulis sic delinquentibus, pro eorum commiss. et juxta qualitatem eorundem imponend. et injungend. Quoscunque insuper fructus, decimas, oblationes, et proventus, ac cætera bona et jura subditorum nostrorum hujusmodi in casibus de jure sive consuetudine qualitercunque præmiss. sequestrand. et sequestrari mandand. et sequestrationis hujusmodi, quoties opus fuerit, relaxand. Cum quibusvis

(¹) These words are not in Gastrell's patent of MDCCLXVII.

etiam dicti archiñatus nostri personis matrimonium ad invicem legitimè contrahend. sive contract. ut matrimonium inter eos, bannis matrimonialibus in eâ parte peniùs omissis, solemnizare et celebrare liberè valeant et possunt, dispensand. ac eis licenciam in eâ parte dand. et concedend. Clericos insuper quoscunque infra archiñatum nostrum prædict. super quibuscunque criminibus coram iudicibus secularibus irritit. seu convict. qui de jure et secundum consuetudinem hujus regni Angliæ gaudere debeant, privilegio clericali (ut moris est) vendicand. recipiend. et admittend. et ad nostros carceres, et gaolam episcopalem Cestriensem duci, sub salvâ custodiâ faciend. Ac¹ testamenta et ultimas voluntates quorumcunque infra dict. archiñatum deceden. quorum bona jura credita et cattala attingunt ad sumâ quadragint. librarum, et sint supra vel infra, aþroband. et insinuand. quorum approbatio et insinuatio ad nos et successores nostros de jure consuetudine sive compositione spectant, aut spectare debeant, administrationesque bonorum jurium creditorum et cattalorum deceden. hujusmodi executoribus in eisdem contentis nominat. et constitutis ac aliorum etiam ab intestato decedent. illi vel illis cui vel quibus de jure et statutis hujus regni Angliæ administratio est committenda in formâ juris cõmittend. computumque, calculum, et ratiocinium, de et super administratione hujusmodi petend. audiend. et recipiend. approband. et allocand. ac (si opus fuerit) reproband. et de allocand. Necnon acquietand. et finales liberações de administratione hujusmodi faciend. et cõcedend. Eosque executores et administratores a computo calculo et ratiocinio eorundem et ab officio nostro in eâ parte (salvo jure cujuscunque) absolvend. dimittend. exorand. et liberand.

Procuraciones ratione visitationis, et sinodalia ratione sinodorum nostrorum, de tempore in tempus debit. nomine nostro petend. et exigend. recusantes vero procuraciones hujusmodi solvere per lîma juris remedia compellend. et coercend. ² Tutoresque et curatores omnium et singulorum eorum, qui minori ætate laborant, et per ætatem se tegere non possunt suam, nominand. et constituend. et, quoties opus fuerit, eosdem mutand. et revocand. computumque, calculum, et ratiocinium, de et super tutelis et curationibus hujusmodi, faciend. et concedend. talesque tutores et curatores à computo, calculo, et ratiocinio eorundem, et ab officio nro in eâ parte (salvo jure cujuscunque) exorand. et finaliter dimittend.

(¹) This clause is now first introduced, as being part of the office of rural Dean, as the words *nominatim de incestu et adulterio*, above, were to describe the commissary's jurisdiction, not belonging to the rural Dean. The clause *Quorum Bona*, &c., is omitted in Gastrell's patent of MDCCXVII.

(²) This clause is not in any earlier patents.

Deputatumque sive deputatos ad præmissa omnia et singula exercend. et perimplend. quoties eos sive eorum aliquem ãls impediri contigerit, eisve placuerit, substituend. deputand. ordinand. et perficiend. et eorum cuilibet pōstatem sic concessam (si necesse fuerit) debite revocand. cassand. et annulland. Cæteraque omnia et singula, quæ in præmissis et circa ea necessaria fuerint, seu quomodo libet opportuna, faciend. exercend. et expediend. dictis E°. M°. et M°. P°. de quorum literarum scientiã, morum gravitate, conscient. puritate, ac in rebus sollicitè gerend. circumspeditione et industriã, specialem in domino fiduciam habemus, vice nostrã tenore præsentium plenam potestatem et auctoritatem pro nobis et successoribus nostris damus, concedimus, et confirmamus, ac per præsentem dedimus, &c. habend. tenend. occupand. et exercend. officium commissariatûs decan. ruralis prædict. et omnia et singula præmissa, in et per totum archiñatum prædict. præfat. E. M. et M. P. conjunct. et eorum cuilit, per se vel per sufficientem deputat. pro termino vitarum suar. natural. et eorum diutius vivent. cum omnibus feodis, proficuis, et cōmoditatibus in proprios usus convertend. dicto officio dictisque decanatibus inciden. sive pertinen. ac præfato cōmissario sive cōmissariis, decano sive decanis, debite spectan. in tam amplis modo et formã prout cōmissarii sive decani infra dict. archiñatum nuper, sive aliquis alius consimilis officarius, habuit, gavisus fuit, et exercuit, &c. (salvis tantum et reservatis nobis et successoribus nostris annis redditibus ex prædictis decanatibus exeuntibus sedique nostræ episcopali debit. eidemque solvi consuet. In cujus rei testimonium ac in corroborationem præmissorum sigillum nostrum apposuimus &c. &c. A.D. MDCXV.

A century later, a like patent was granted to Peregrine Gastrelle (A.D. MDCCXVII.) preserved in the old registry-book of Chester: but as it differs from the above only in the parts pointed out in the marginal notes, principally that is, in abolishing the earlier limitations laid on the office, I have not copied it.

In the patent of the office of vicar-general and official principal throughout the whole diocese of Chester, to Samuel Peploe LL.B. (A.D. MDCCXLVIII.), there is a particular reservation of the deans ruralis' rights—"All and singular the rural deans of our diocese aforesd. and their successors, and their accustomed rights with their appurtenances always saved."

6. THE ESTATE OF THE B^ſrick AND DIOCESE OF CHESTER IN THE TIME OF
R. R. FATHER IN GOD, JOHN BRIDGEMAN, LORD B^ſ OF CHESTER.

THE state of the rural deanries in B^ſ Bridgeman's time, begun upon his coming to the See, MDCXIX.; but not finished till after the patent granted to Joseph Cradock, in MDCXXXVI.

AT the entrance of B^ſ Bridgeman in the see of Chester, because the rural deanries in this diocese were leased out for lives or years, so as sometimes they came to the possession of unworthy and base men, and some of them to women (for Middlewich deanry fell, by administration, to one—Kensey, widow of a serving-man, who got in like sort); and Dr. King, on whom the said b^ſ bestowed that deanry, could not, after much sute, evict her; till she was taken in adultery, on a Good Friday, in the — inn, in Chester, and publicly punished for it. As also because the severall deanes kept no constant office, and brought those places into disesteem: for that the deanes usually put in mean men who would give them most yearly rent, and seldom kept the records; so as many orphans, when they came to age, knew not how to find, or where to clayme their dues. Therefore B^ſ Bridgeman, that he might restore those places to their first dignity, and erect some constant office to which all persons might resort for search of their rights by the records, and also might enlarge the profits or authority of his two archdeacons of Richmond and Chester (who being destitute of all jurisdiction are yet but mere stipendiarys or almsmen to the b^ſs, who oftymes pay them slackly and perhaps with an ill will); and lastly for the benefit of the bishops themselves in succession, that so they may be disburthened of that 100*l.* yearly stipend which they pay by the charter of foundation to the said archdeacons. The said b^ſ, when those deanries fell into his hands, reserved them for the said archdeacons, and, enlarging the old rents which those deanries usually paid to the b^ſs, and increasing them to such sums (or rather less) as the deanes used to sett them att to their deputies, and adding more deanries thereto, whereby those who exercised those places might (besides their jurisdiction) benefit themselves in profit and gayn; he hath united all the 8 rural deanries in Cheshire to the archdeacon of Chester upon the yearly rent of 50*l.* to the b^ſ for the discharge of the said archdeacon's stipend, as appears by this patent thereof registered. And for the other 50*l.* yearly for the like stipend of the archdeacon of Richmond, when the deanry of Warrington fell to his gift by the death of Mr. Collayne, and the deanry of Blackburn and Leyland fell likewise by the deaths of Mr. Morris and Mr. Bennet, he encreased the rents thereof to such sums (or somewhat less) as the said deans sett them att to their

deputies, viz. Warrington Deanry for 27*l.* yearly, Leyland Deanry for 10*l.* yearly, and Blackburn Deanry for 13*l.* 6*s.* 8*d.* yearly. In toto 50*l.* for the archdeacon of Richmond. And because the bps have few preferm^{ts}. besides to bestow upon their chaplains, he hath reserved the Deanrys of Manchester and Amounderness for that purpose. And because the old rent issuing out of those Deanrys to the bp should not be lost, and so the bp's revenue yearly impayred, he hath a purpose (and doth entreat his successors for the good of their posterity) that when the other Deanrys of Copeland, Furnes, Lonsdale, Richmond, Catherick, and Burrowbridge, fall voyd, their rents may be increased to the sum of 36*l.*, and so the ancient revenue may be continued, and the 100*l.* to the archdeacons clearly saved: yet, for the present, he was constrayned to grant them in patent (or rather only to exchange the name of the patentee) to Mr. Joseph Cradock only p^r vitâ, who is now commissary of Richmond, upon Dr. Mainwaring's resignation of his patent, who had the said commissaryship and the said Deanrys in patent before his time for two lives; viz. for his own and Mark Pickering's life (see fol. 256 of this book), so as now there is only one life in the said Deanrys, whereas usually there was two lives before.

7. REMONSTRANCE OF THE Dean AND Chapter OF CHESTER TOUCHING Rural Deans' RIGHTS, AND THE BISHOP'S ANSWER—A.D. MDCLXII.

TO the Right Reverend Father in God, George, Lord Bishop of Chester.

OUR very good Lord,

WE, the Dean and Chapter of Chester aforesaid, being assembled in our chapter-house, have, this eleventh day of October, received a patent or grant, under your Lordship's episcop. seal, dated sixteenth August MDCLXII., granted unto Ralph Morgell, Jervace Fuller, and John Tibbols, gent., during their lives and the life of the longest liver of them, of the office of the princ^l. registrar and scribe in the diocese of Chester afores^d. together with all the fees, profits and emoluments whatsoever, belonging to the same, only excepting and reserving the rights and profits which by law and custom do belong to the register or reg^t. of all and every the respective rural Deans of the said diocese—humbly conceiving that by the words towards the close of the said patent, viz. ("Juribus et emolumentis registrariorum et actorum scribarum omnium et singulorum Decanatum rural. dioc. Cestrien. pro tempore existen. in singulis negotiis per Decanos rurales et scrib. sive registrariorum præd. de

jure et consuetudine expeditis vel expediendis infra dictos *Decanatus* semper salvis"—there is not a sufficient provision made for the right of the registers of the *Decans* rural by patents already granted by your Lordship's predecessors, or hereafter to be granted by your Lordship or your successors, bishops of Chester, or the respective *Decans* of the said rural *Decanrys*; and unless your Lordship be pleased to declare to us, in writing, which we may enter upon record in our chapter-book for the information of succession, what rights, liberties, and privileges, your Lordship doth intend unto the said registers of all and every the said respective rural *Decanrys*, and what limits and bounds your Lordship doth intend to put upon the said R. M., J. F. and J. T. so that there be no future interfering between the officers of the said distinct registers, we cannot in prudence confirm the said patent, as foreseeing the principal registers aforesaid (under pretence of we know not what concurrent jurisdiction they already begin to talk of) will daily be invading the rights and profits of the said rural *Decans*' registers, by which the said rural *Decans* will be disabled from paying the pensions of the archdeacons, which by your Lordsh^p. discourse unto us yesterday seemed to be your intent and purpose, as it was the practice of your predecessors, Bp Ferne, Bp Walton, and Bp Bridgeman, who thereby eased the bishoprick of Chester 100*l.* per annum—which, by reason of some trespasses already made in that kind, the *Decans* rural profess they will fling up their patents, unless they may be secured hereafter from the like invasions. We have therefore, by joint consent, sent this bearer, Prebend Charles Duckworth, to bring unto us your Lordship's Declaration and Resolution in the premises, which we desire with all speed.

My Lord, your Lordship's most affectionate friend, and humble servant,

HEN. BRIDGEMAN, *Dean*.

THE ANSWER, OR DECLARATION OF THE RIGHT REVEREND FATHER IN GOD,
GEORGE, LORD BISHOP OF CHESTER, TO THE AFORESAID LETTER.

Mr. Dean,

I RECEIVED your letter; and am already sensible, by the many complaints made unto me by the rural *Decans*, that there have been irregular invasions of their rights, profits, and liberties: but Dr. Wainwright, my chancellor, came on Saturday last before me, and declared, and promised in the presence of many witnesses, that he would not at any time hereafter intermeddle with the jurisdiction of any the rural *Decans* of the diocese of Chester, or prove or take conusance of any will or wills not

exceeding in true value 40*l*. So that I conceive the jurisdiction of the rural deans will be distinct and secure from further invasion : yet, that I may answer yours, I have thought fit to declare, that in the grant of my patent of the principal registry, dated the sixteenth of August MDCLXII., to Ralph Morgell, Jervace Fuller, and John Tibbols, gent., it was never my intent to injure the bꝛick by infringing any of the rights of the rural deans ; nor is my meaning, that the said principal registers aforesaid should intermeddle with, use, or exercise the office of register, scribe or actuary belonging to any the deans rural within the said diocese of Chester, or receive, demand, or lay claim to any fees or profits arising from the probate of any will or wills or lꝛes of administration, tuition, curature, compute, or quietus est, the inventory not exceeding the sum of 40*l*. or of the each of them, nor intermeddle with the ordinary swearing of churchwardens, receiving any presentments, or doe any other act or acts to the prejudice of the said rural deans or any of their registers. Having signified unto you my sense in this matter,

I rest your loving friend,

Oct. 13, 1662.

GEO. CESTRIEN.

I desire you will communicate this unto your chapter.

8. PATENT OF THE OFFICE OF COMMISSARY AND Rural Dean
TO JOHN MORGAN, B.D., A.D. MDCLIII.

TO all Christian people to whom these presents shall come, Edmund, by Divine permission, Lord Bishop of Chester, sendeth greeting in the Lord everlasting—

Know ye, that we the said bishop, for divers good and lawfull causes and considerations us hereunto justly moving, have given and granted, and by this our present writing for ourselves and successors confirmed unto our beloved in Christ, the Reverend John Morgan, B.D., the office of commissary or official in and throughout our whole archdeaconry of Richmond, together with the rural deans within the said archdeaconry ; viz. the deanry of Richmond, Burroughbridge, Amounderness, Kirkby Kendale, Kirkby Lonsdale, Farness, Copeland, and Catherick, and do make, ordain, and constitute him, the said J. M., commissary or official of us the said bishop and our successors by these presents, and do give unto the same John Morgan the office of rural dean in the deans aforesaid by these presents, and to take cognizance

of and proceed in, all and singular causes, controversies and complaints, as well matrimonial of divorce as touching matrimony, and other spiritual and ecclesiastical businesses whatsoever, whether of mere office, mixt or promoted, or to be promoted at the instance or instances of a party or parties, and belonging or appertaining to our ecclesiastical court, cognizance, or jurisdiction, or to us and our successors by law, custom, or otherwise howsoever, and them with their emergents, incidents, dependents, annexed and connexed whatsoever, to hear, examine, and discuss, decide, and by a due end determine. Also to inquire, or cause inquiry to be made, of all crimes, excesses, and offences whatsoever, belonging to the ecclesiastical court and cognizance within our archdeaconsry aforesaid, by whomsoever, whether clergymen or laymen, committed or to be committed, and them so found out and detected duly to correct, punish, and reform, and for and according to the quality of their offences to impose, inflict upon, and enjoyn them and every of them, salutary and suitable ecclesiastical pains and punishments. Moreover, in cases by law or custom howsoever permitted to sequester, and order to be sequestered, the fruits, tythes, oblations, and profits, and other goods and rights of such of subjects aforesaid, and to relax such sequestrations as often as need shall be. Also to dispense with persons of our said archdeaconsry lawfully contracting matrimony together, or contracted, that they may freely solemnize, cause, and obtain matrimony between them, the bans of matrimony in that behalf wholly omitted. And to give them licences in that behalf according to the canons. To approve and insinuate the testaments and last wills of decedents whomsoever within our said archdeaconsry of Richmond (the approbation and insinuation whereof ought by law, custom, or composition, to belong to us and our successors), and to admit the administration of the goods, rights, credits, and chattels of such decedents, to the executors in the said testaments named and constituted. And also of others dying intestate, to such to whom, by law, or by the statutes of this realm of Great Britain, administration is to be committed. To require, receive, admit, and allow, and (if need be) reprove, and disallow an account or reckoning of and upon such administration. And to make and grant acquittances and final discharges of and upon such administration, and absolve, dismiss, exonerate, and free them, the executors and administrators, from the accounts and reckonings of them, and from our office in that behalf, the right of every person being saved. And to ask for in our name and demand the procurations from time to time due, by reason of our visitation, and the synodals by reason of our synods, and to compel and oblige, by due means of law, them who refuse to pay such procurations and synodals. And to name and constitute tutors, and curators or guardians, of all and singular who

labour in minority, and by reason of their age cannot govern themselves. And, as need shall be, to change and revoke them. And to require, receive, and allow, and (if need be) reprove and disallow, an account or reckoning of and upon such tutorship and guardianship, and to make and grant acquittances, and final discharges of and upon such guardianships, and absolve, dismiss, exonerate and free them the tutors, curators, or guardians, from the accounts and reckonings of the same, and from our office in that behalf, the right of every person saved. And to substitute and depute, ordain and make a deputy or deputies to exercise and perform all and singular the premises, as often as it shall happen that he shall be otherwise hindered, or it shall please him. And duly to revoke, make void, and annul the power so given to every of them, if it shall be necessary. And to do, exercise, and expedite all and singular things that shall be necessary, or in anywise convenient in the premises or about them.

We in our stead, by the tenour of these presents, for us and our successors, have given, granted, and confirmed, and by these presents do give, grant, and confirm, unto the said J. M. (in whose learning, morals, uprightness, diligence, and care in business, we have special confidence) full power and authority, to have, hold, occupy, and exercise, the office of commissary and rural dean aforesaid, and all and singular the premisses in and throughout the whole archdeaconry of Richmond, to the same J. M., by himself, or lawfull deputy or deputies, for the term of his natural life, with all and singular fees, profits, and commodities, belonging or incident to the said office, and to the said deans, and due and belonging to the said commissary or official and dean, and in as ample manner and form as the commissaries or deans within the said archdeaconry have had, enjoyed, and exercised, or ought to have, enjoy, and exercise the same (the annual rents issuing out of the aforesaid deans, and due to our episcopal see, and wont to be paid to the same, to us and our successors only saved and reserved), &c.

In testimony whereof, &c. &c.—Dated Oct. 1, 1753.

SECT. XI.—Diocese of Chichester.

THE diocese of Chichester contains the whole county of Sussex, excepting twenty-two parishes, which are peculiars of the archbishop of Canterbury. It consists of two archdeaconries; viz. Chichester and Lewes. The former of which

includes the Deantries of Arundell, Borgeave, Chichester, Midhurst, Storington, Pagham, and Terring—(the two latter being in the jurisdiction of Canterbury, though locally situate in the diocese of Chichester). The archdeaconry of Lewes contains the Deantries of Dallington, Hastings, Lewes, Pevensey, and South-Malling—(the latter being in the jurisdiction of Canterbury).

Deans rural appear, for the first time, within the limits of the diocese of Chichester, in the *Synodal Statutes* of Bishop Richard de la Wich (A.D. MCCXLVI). See CC. M. B. et H. Vol. I. p. 690. But the notice of them *there* is such, that it is evident they were of earlier institution in the diocese. They are, *probably*, alluded to in the canon—*De archidiaconis et aliis*—under the generic title of *Detani*: and in the following one—*Ne dignitates dimittantur ad firman*—they are specifically named under that of *Detani rurales*. The bishop interdicts them from the cognizance of matrimonial and other causes “*quæ majorum judicium requirunt examen* ;” and, in the conclusion of the canon, he particularly reserves to himself the appointment and release of *Deans* rural—“*Institutionem et restitutionem Detanorum ruralium, sicut hactenus obtentum fuerat, dispositioni nostræ specialiter reservamus.*” From which it is clear that they *previously* existed in the diocese.

A second notice of them occurs in the letter of the archbishop of Canterbury to the bishop of Chichester (A.D. MCCLXXXV.), *De ¹ bajulatione crucis Archiepiscopi Eboracensis*, (CC. M. B. et H. Vol. II. p. 119);—wherein the primate commands William de Cruceroys, official to the said bishop, to prevent the intrusive ceremony within the province of Canterbury—faithfully informing the *Deans* rural and others of their metropolitan’s mandate, and enjoining immediate attention to it, on pain of his displeasure.

A few years earlier, a *Monition* addressed to a rural *Dean* of Pageham by the archbishop of Canterbury appears in Gibson’s *Appendix*, and is here annexed. And a little later, *Deans* are again mentioned in the *Synodal Constitutions* of Bishop Gilbert (A.D. MCCLXXXIX.): see CC. M. B. et H. Vol. II. p. 170.

I find no more of the rural-*Detanal* office in the diocese of Chichester till the *Valor Ecclesiasticus* Henrici VIII.—in which, under Dioc’. Cicestren’. Com’. Sussex’.—*Detanat’ de Hastyngys*—we meet with Riçus Brokysby *clicus Detanus ih̄m*: and

(¹) At the synod of Westminster (A.D. MCLXXV.) Roger, archbishop of York, sent proxies to claim the privilege of carrying the cross in the province of Canterbury. See Collier’s *Eccles. Hist.* B. IV. p. 382. The archbishop of York, as primate of England, considered himself entitled to carry the cross throughout the kingdom. See Beveregii C. C. E. P. cap. v. *De Metropolitanis*, p. 245.

under *Decanat.* de Pagham, annual procurations are said to be paid to the *Dean* of Pagham. See *Valor Eccles.* Vol. i. p. 311. and 344.

During the primacy of Matthew Parker, about thirty years afterwards, a *Commissio* was directed to the *Dean rural* of Hastings (*A.D.* MDLXVIII.) to collect *synodals* through his *deanry*, the see of Chichester being vacant. See *Mss. Add. Parochial Antiquities*, Vol. II. p. 361, note.

The *Commissio pro visitatione parochiali*, issued by the bishop of Chichester (*A.D.* MDCLXXXVI.), was not addressed to *Deans rural*, but to ordinary clergymen (two presbyters) of the diocese. See Gibson's *Cod. I. E. A.* Appendix, p. 1550. xviii.

The office, I am informed, at present exists under Bishop Maltby (*A.D.* MDCCCXXXIV.): but, not having received any reply to my inquiries on the subject (the learned prelate, probably, having nothing of importance to communicate), I have only hearsay to allege in support of their present existence in the diocese.

MONITIO SUPER PROCESSIONE AD ECCLESIAM MATRICEM IN HEBDOMADÂ PENTECOSTES.¹

FRATER Robertus permissione divinâ Cantuariensis archiepiscopus, totius Angliæ primas, dilectis filiis *Decano* de Pageham, rectoribus, vicariis, capellanis, et universis per *decanatum* de Pageham constitutis, salutem eternam in Christo.

Cum in singulis locis nostræ provinciæ, et aliis plerisque, à Christi fidelibus in Ebdomadâ Pentecost'. ex antiquâ et approbatâ consuetudine, processio fieri consueverit, ut vos, dilecti filii, Catholicæ communionis participes videam.' vobis mandamus, quatinus vos, Decane, rectores, vicarii, et capellani, cum clero et populo vobis commisso, ecclesiam matricem de Pageham aliquo die certo, in Ebdomadâ Pentecost'. ad hoc per vos statuend'. cum processione solempni et devotâ, juxta datam vobis gratiam, singulis annis humiliter visitetis. Ad hujus autem solempnitatis devotionem sedula vos intentio sollicitet, ut tam vobis, quam credito vobis gregi, præmium proinde ex alto proveniat, vestraque diligentia uberibus in Domino laudibus se offerat attolendam.

Datum apud Lamhith, quarto Non'. Junii, Anno Domini Millesimo CC^o LXX^o. octavo, consecrationis nostræ sexto. See Gibson's Cod. I. E. A. Appendix, Vol. II. p. 1447.

(¹) The above *Monition* appertains rather to the diocese of Canterbury than to that of Chichester. Pagham is under the peculiar jurisdiction of the archbishop of Canterbury. And the same must be said of the following *Patent* of the *Dean* of South-Malling, Pagham, and Terring. These *deantries* are not, strictly speaking, *rural deantries*, but peculiar jurisdictions, under *decanal* government, subordinate to the archbishop.

THE SURREPTITIOUS PATENT OF DR. BRIGGS, AS ~~DEAR~~ OF SOUTH-MALLING, PAGHAM, AND TERRING, (IN THE COUNTY OF SUSSEX AND DIOCESE OF CHICHESTER)—
SUBJECT TO THE PECULIAR JURISDICTION OF THE ARCHBISHOP OF CANTERBURY.
A.D. MDCXCV.

THOMAS providentiâ divinâ Cantuariensis archiepius, totius Angliæ primas et metropõnus, dilecto nobis in Christo Thomæ Briggs legum doctori, reverendi in Christo patris et Domini Domini Roberti permissione divinâ Cicestreñ episcopi vicario in spiritualibus generali, salutem et gratiam de tuâ sanâ doctrinâ, conscientie puritate, fidelitate, circumspeditionis industriâ, et providâ in rebus gerendis dextertate, plurimum freti, te Decanum et cõmrium nrũm in et per respectivè Decanat' de Southmalling, Pagham, et Terring, et ecclie nræ Cathis et Metroþocæ Christi Cant' jurisdiis imediatæ prefecimus, constituimus, et deputamus per presentes; ad visitand igitur ecclias et capellas omnes et singulas clerumque et populum per Decanatum præd' pront ab antiquo usitat' fuerit, ac procuraciones debitas recipiend'; necnon ad inquirend seu inquiri faciend de et sup quorumcunque subdit' Decanat' præd' criminibus, excessibus, et delictis quibuscunque hactenũ commissis, vel imposterum committendis, quorum cognitio, correctio, et punitio ad nos et forum ecclieum de jure vel consuetudine, aut hujus regni Angliæ legibus et statutis (citra tamen offensam legum et statutorum hujus regni Angliæ) poterint pertinere, ipsosque et ea debitè corigend puniend et reformand, ac etiam ad cognoscend procedend statuend et definiend in omnibus et singulis causis et negotijs ecclesiasticis quibuscunque in dictorum Decanat' jurisdiis tam ex officio mero mixto vel promotò quam ad quorumcunque partium instantias sive promotiones, hactenũ motis inchoatis et intentatis aut imposterum movendis et intentandis, easque et ea cum suis incidẽ emergẽ dependẽ annex et connex quibuscunque audiend discutiend ac quatenũ leges et statuta hujus regni Angliæ permittant, et non aliter neque alio modo; citra tamen offensam eorundem finiend et terminand; testamenta insuper et ultimas voluntates quorumcunque infra Decanat' præd' ab hâc luce (Domino jubente) migrantium et decedentium insinuand et approband; adneque bonorum quorumcunque testantium hujusmodi sive abintestato sive per viam intestati decedẽ, executoribus in hujusmodi testamentis noratis, aut illi sive illis cui seu quibus ac jure seu consuetudine aut hujus regni Angliæ statutis committi debeant, in debitâ juris formâ concedendi et comittendi et computu calculũ sive ratiociniũ executorum sive administratorum hujusmodi recipiend audiend examinand et admittend, ac computa hujusmodi ab omni ulteriori computo calculo sive ratiocinio in hâc parte reddend, prout juris fuerit

et æquitatis absolvendũ et finalr dimittendũ alium insuper seu alios in premissis et eorum quolibet loco tuo substituendũ, eumque et eos quoties et quando tibi videbitur expedire revocandũ, necnon omnia et singula alia ad officium cõmissarij hujusmodi et exercitium jurisdiis eccl̃icis dictorum *Decanat'* spectant et pertineũ et quæ in præmissis seu circa necessaria fuerint seu quõlet opportuna (citra tamen offensam legum et statut' hujus regni Angliæ et non aliter neque alio modo faciendũ exercendũ et expediendũ juxta constitutiones eccl̃icas regiâ autoritate anno Domini MDCIV. edit' et promulgat', ad quorum canonum et institutionum observationem in omnibus per te agendũ et observandũ te tenore præsentium in omnibus per te agendũ et observandũ subpœnis in eisdem expressis astringimus; tibi cum cujuslibet coercionis canonici exequendi quæ in hâc parte decreveris potestate vices ñras committimus ad nostrum bene placitum tantummodo duratur; et quoniam nostri est pro officij nostri pastoralis debito vigilanter prospicere ut boni fideles digni et idonei operarij in vineam Domini mittantur, personalem examinationem, approbationem, admissionem, institutionem, et inductionem quorumcunque clericorum ad quæcunque beneficia ecclesiastica *Decanat'* præd' nobis aut vicario nostro in spiritualibus generali et officiali principali speciali reservamus (presentibus literis nostris cõmissionalibus aut aliquo in eisd' contentis in contrañ facieñ non obstaũ). Et preterea volumus quod de cummoditatibus, proficuis, et emolumentis quibuscunque provenieñ verum plenum et fidele computum vicario nostro in spiritualibus generali justè reddas seu reddi facias, assumpto tibi dilecto nobis in Christo Radulpho Snow armigero registrario nostro principali vel ejus in hac parte deputato seu deputandũ in actorum tuorum scribâ durante hâc nostrâ cõmissione; In cujus rei testimonium sigillum vicarij nostri in spiritualibus generalis presentibus apponi facimus. Dat' undecimo die menses Junij anno Domini millesimo sexcentesimo nonagesimo quinto nostræque translationis anno primo.

RADULPHUS SNOW, Reg^{lms}.¹

(¹) This curious document, which, as I have said in a previous note, belongs rather to the diocese of Canterbury than to that of Chichester, is extracted from a *MS.* book in the Lambeth Library—endorsed, "*Bibliotheca Lambethana*, No. 711."—*Robert Chartacus*, in folio No. 9.

SECT. XII.—Diocese of Ely.

THE diocese of Ely contains all Cambridgeshire and the Isle of Ely (excepting Iselham, which belongs to the see of Rochester, and fifteen other parishes, which appertain to the diocese of Norwich), and the parish of Emneth in the county of Norfolk¹. Within this jurisdiction no published records present any traces of *Deans rural* having ever existed. The *Deanries* subject to the archdeacon of Ely are, Barton, Bourne *alias* Knapwell, Cambridge, Camps *alias* Wilbraham, Chesterton, Ely, Shengay, and Wisbech.

Of present usages I can give no account; having received no reply to my inquiries from those capable of satisfying them. I cannot say positively that *Deans rural* exist not; but it is probable the limited extent of the diocese renders their appointment unnecessary.

SECT. XIII.—Diocese of Exeter.

THE diocese of Exeter comprises the counties of Devon and Cornwall; and is divided into four archdeaconries; *viz.* Exeter, Totness, Barnstaple, and Cornwall. The archdeaconry of Exeter contains the *Deanries* of Aylisbeare, Cadbury, Exeter, Dunkeswell, Dunsford, Honiton, Kenne, Plymtree, and Tiverton. The archdeaconry of Totness includes the *Deanries* of Holsworthy, Ipplepen, Morton, Okehampton, Plympton, Tamerton, Tavistock, Totton, and Woodleigh. The archdeaconry of Barnstaple comprises the *Deanries* of Barnstaple, Chumleigh, Hertland, Shirwell, Southmolton, and Torrington. And the archdeaconry of Cornwall those of East, Keriex, Penwithe, Powdre, Pydre, Trigge Major, Trigge Minor, and West. In our earlier pages, many items of *ruri-decanal* service have been adduced from the councils of this see. *Deans rural* appear therein, for the first time, during the episcopate of Peter Quivil (*A.D.* MCCLXXXVII.), under the title of *Isotorum ordinarii*—(*CC. M. B. et H.* Vol. II. p. 158.) They are not mentioned in either of the *Eccllesiastical Valors*.

(¹) It is proposed by the *Church Commissioners* (*A.D.* MDCCCXXXV.) that the diocese of Ely shall be increased by the counties of Huntingdon and Bedford, now in the diocese of Lincoln—by the *Deanries* of Lynn and Fincham, in the county of Norfolk, and diocese of Norwich—and by the archdeaconry of Sudbury, in the county of Suffolk, and diocese of Norwich, with the exception of the *Deanries* of Sudbury, Stow, and Hartismere, which will remain in the latter diocese.

The office *is said* to have been kept up in the diocese *ab antiquo*; but I have no direct evidence to adduce of its existence, from the date above alluded to, till the reign of Queen Anne; when it seems to have been in a flourishing condition, under the auspices of Bishop Trelawney. The usages of that period (scarce differing, in any essential point, from those of modern days) are supplied by Dr. Atterbury, in his annexed *Address to the Clergy of the Archdeaconry of Totness (A.D. MDCCVIII.)*.

In the year MDCCXXX. the office still existed; and Bishop Keppel is reported to have interested himself in making it more efficient, about the year MDCCCLXX. At the present time, a *Commission* annually issues (the archdeacon of Barnstaple informs me) from the chancellor, in the bishop's name, to the archdeacons of the different archdeaconries, empowering them to swear such persons as the clergy of the several deantries elect to fulfil the duties of deans rural. The election was heretofore annual, subsequently biennial, and is now, by particular desire of Bishop Philpotts, triennial.

The attached documents, kindly supplied by the Rev. John Wallis of Bodmin, will speak for themselves as to the usages of the archdeaconry of Cornwall in detail. The same mandate and oath are used in the other archdeaconries—*mutatis mutandis*.

Bishop Atterbury's summary of the history and duties of deans rural *in general*, and of the diocese of Exeter *in particular*, I have caused to be reprinted entire; though the most important parts of it have been enrolled in the body of the preceding work. It is, without doubt, the best epitome of the office anywhere extant—with the single exception of Bishop Kennett's, in his *Parochial Antiquities*.

I. SPEECH OF DR. ATTERBURY TO THE CLERGY OF THE ARCHDEACONRY OF TOTNESS,
A.D. MDCCVIII., RESPECTING THE OFFICE OF Dean Rural.

REVEREND BRETHREN,

MY present design is, to speak to you concerning that very ancient and useful office of Dean rural; an office which hath formerly contributed much to support and enliven the discipline of the church; and might be of equal use still, if the powers heretofore annexed to it were duly revived and executed. However, even upon the foot it now stands, especially in this diocese, it is of great service, when discharged with a conscientious care and fidelity. And therefore pity it is, that either any disorder should happen in the manner of choosing such officers, or any neglect in

exerting those powers, which do still, both by law and custom, belong to them; because each of these hath a manifest tendency towards sinking the office yet lower than it is already sunk, and bringing it at last altogether into disrepute and disuse; which it shall be my business, to whom it immediately belongs; as I doubt not but it will be the endeavour of our common Superior (with whom God has blessed us), by all proper and effectual methods to prevent.

Permit me therefore, brethren, to discourse to you in such measure as the time will allow of, concerning the name and title, the antiquity, nature, and extent of this office; to say somewhat also of the powers and rights which belonged to it formerly, but have since been lost by misuse; and somewhat also of the present powers with which it is invested, and of the great reason there is to preserve and employ them.

The office is very antient, though not under the present appellation of *dean rural*, but that of *archipresbyter*; of which there were two sorts, the *urban* and *rural*. The *urban archipresbyter* was originally the same with him whom we now call the *dean of the cathedral church*; the *rural archipresbyter* was he whom we now style the *rural dean*, who, according to the opinion of Duarenus and Sir Henry Spelman (authorities that we may safely follow), succeeded in the room of the *chorrepsitropi*, upon the abolition of that office in this western part of Christendom. This sort of officer, if the text of the canon law compiled by Gratian might be relied on, was older than the council of Agatha, celebrated in *DVI.*, a canon of which is there cited, commanding that, at the solemn reconciliation of penitents, *adsint decani, i.e. archipresbyteri parochiarum*, who were to have the care of examining into their offences, and prescribing penances. But nothing of this kind is to be found in any of the canons of that council now remaining. *Gratian* transcribed this mistake from *Burchard*, who went before him in the same attempt: and *Burchard* flourishing but about seven hundred years ago, it cannot be judged how much antienter than him the *archipresbyters* mentioned in this canon were.

The first clear account we have of these officers (as distinguished from the *urban archipresbyters*, or *cathedral deans*, in the tomes of the councils) is, I think, (*A.D.* *DCOCL.*), when they were established by a canon of the council of Pavia in Italy; the words of which are these:—

“Propter assiduam erga populum Dei curam singulis plebibus archipresbyteros præesse volumus, qui non solum imperiti vulgi sollicitudinem gerant, verum etiam eorum presbyterorum qui per minores titulos habitant vitam jugi circumspeditione custodiant, et quæ unusquisque industria divinum opus exerceat episcopo suo remittent, &c.”

This canon was recited afterwards in *terminis*, and confirmed, by a council at Rome, in the year DCCCCIV. So far is it from truth, what a late author¹, in his *Parochial Antiquities*, hath affirmed, that this institution was peculiar to *Germany, Gaul, Great Britain*, and the *northern parts of Europe*; but altogether unknown to *Italy*, till the time of Cardinal *Borromeo*. The ground of that error was, a false notion entertained by him, that the *Dean rural* in the church answered to the *tithing-man* in the state, and had the same *extent of jurisdiction* (so he speaks); which led him to imagine, that that portion of a bishoprick which we call a *rural Deanry* was to be found in no countries but where the like civil distribution into *tithings* prevailed. I need oppose nothing to this opinion beyond the authority of Sir H. Spelman, in that part of his glossary which he himself printed; where he tells us, that the *rural Deanry* answered (not to the secular tithing, but rather and more nearly) to the county hundred.

“*Decanatus dicitur de portione episcopatus, centuriæ seu hundredo comitatûs respondentis, et decano olim suppositû.*” Glossar. in voce *Decanatus*, p. 166.

That there were *rural Deans* here in the Saxon times I doubt not; though the histories and ecclesiastical monuments of those ages, now preserved, are silent concerning them. The only instance of this kind produced (p. 633) by the writer just now mentioned, is no sure proof of it; being taken from that part of Edward the Confessor’s laws which is not looked upon as genuine, but thought to be added to them by Henry I. who restored and enforced them.

Not long after the reign of Henry I. these officers are mentioned in the great Lateran Council, held A.D. MCLXXIX., under the title of *Decani constituti sub Archidiaconis*; and rules are prescribed for lessening the expences that attend their visitations. From that time our English ecclesiastical laws take frequent notice of them. The true reasons of the first rise and institution of this office were, the great extent of dioceses and archdeaconries, and the necessity which bishops were under of attending not only at ecclesiastical synods, but all great councils of state; and the share they had (especially after the time of Charles the Great) in the management of public offices and affairs. This occasioned a delegation of all their jurisdiction to some officers, and of some parts of it to others erected for this purpose; from whom they preserved a right of appeal. As to the particular erection of *Deans rural*, I cannot better account for it than in the excellent words of Roverius, a French author of note.

(¹) Dr. Kennet.

“Cum ad presbyteros rure degentes extendere se continuo non posset episcoporum aut archidiaconorum vigilantia, collocati fuere per intervalla in quibusdam quasi excubiis presbyterorum aliqui, decani vel archipresbyteri vocitati, ut cæterorum presbyterorum et plebis moribus, vice episcopi aut archidiaconi, invigilarent.”

What Roverius says of their officiating in France “*vice episcopi aut archidiaconi*,” is confirmed as to England, by *Lynwood*, in various parts of his *Provincial*. In one place he calls them “*vicarii episcoporum quàm archidiaconorum*.” In a third, he says that they are “*Decani temporales ad aliquod ministerium sub episcopo vel archidiacono exercendum constituti*.” In a fourth, he thus describes them:—“*Sunt personæ habentes quædam officia communiter spectantia ad episcopum vel archidiaconum: et ideo communiter eorum receptio et amotio pertinet ad utrumque*.” And there is a remarkable passage in his comment, where he inquires, whether the *Deans* of the archbishop’s peculiars (as *Shoreham*, *Croydon*, &c.) can by custom have cognizance of *matrimonial causes*. To which he answers, they may; and gives this reason for it, because those *Deans* have archidiaconal jurisdiction, being subject to the archbishop alone, who deposes them, “*cum tamen cæteri decani rurales etiam (ut communiter) subint archidiaconis*.” And to the same purpose speaks *Atho’s* glossary on the Legatine Constitutions of *Otho*:—“*Tam præfici debent decani rurales quàm etiam amoveri per episcopum et archidiaconum simul de jure*.” he adds indeed “*salvâ consuetudine locorum*,” because, in some places, the mandate for the choice of *Deans* rural doth, by the bishop’s grant, proceed from the archdeacon alone, as in the diocese of *Canterbury*: in others, from the bishop and archdeacon jointly; i.e. from the bishop through the archdeacon, as in this diocese. And from all these authorities, that skilful and accurate civilian *Dr. Cowell* collected this definition of a *Dean* rural, which he gives in his “*Interpreter*,” and is transcribed by *Godolphin* into his “*Repertorium* :”

“A person having ecclesiastical jurisdiction over other ministers and parishes near adjoining, assigned unto him by the bishop and archdeacon, being placed and displaced by them.” He means, by their authority, but at the instance, nomination, and election, of the clergy. Nor is it unworthy of observation, that a canon in *MDLXXI*. (the only canon of our church which, since the Reformation, mentions *Deans* rural) joins the archdeacon with the bishop in the steps that are to be taken towards choosing them. I forbear to recite the words here, because I foresee I shall have occasion to use them towards the close of this paper.

How and when the archdeacon came into a fixed share of authority in this matter, appears from a rescript of *Innocent III.* in the year *MCCXIV.*, inserted into the body

of the canon law. "*Archipresbyteri*," says he, "*qui à pluribus decani nuncupantur, archidiaconi jurisdictioni se noverint subdicere.*" And in answer to an inquiry then made of him, "*Utrum decani rurales qui pro tempore statuuntur ad mandatum episcopi solum vel archidiaconi, vel etiam utriusque institui debeant vel destitui, si fuerint amovendi.*" His determination there is, "*Ad hoc breviter respondemus quòd cum ab omnibus quod omnes tangit approbari debeat, et cum eorum*" (i.e. of the bishop and archdeacon) "*Decanus officium exerceat, communiter est etiam eligendus vel deponendus.*" Ever since this rescript, the archdeacon's authority hath intervened, together with that of the bishop, towards appointing deans rural, except where by grant, composition, or custom immemorial, things have been otherwise ordered; as the case is in the diocese of Canterbury, where, thirteen years after the date of this rescript, Stephen Langton, the archbishop, granted to his archdeacon the institution and destitution of deans rural; and for this remarkable reason:—

"*Cum absurdum sit ut alius eos constituat quàm is, qui eis debeat præesse, et cui respondere tenentur; præsertim cum ipsis [decanis nempe] referentibus, corrigere debent [archidiaconi] cæterorum errata.*"

This grant was, two years afterwards, confirmed by Archbishop Wethershed; but with the addition of the clause, "*præhabito consilio nostro.*" Both the instruments are printed at large by the industrious and judicious Mr. Somner.

The office of dean rural, at and before this time, was to inspect the manners both of clergy and laity within his district, but chiefly of the former; and if any of these laboured under any evil fame, to call them before him; and to correct lesser excesses as *in foro penitentiali* for the most part, rather than *judicially*; the rural deans being the *confessores nati* of the clergy under them, till the monks, about King John's time, began to wrest the authority out of their hands.

His power over the clergy is by our Otho said to be "*Jurisdictionis cognitionalis, quoad effectum corrigendi, licet non quoad effectum removendi tales a villicatione, et suspendendo eos ab officio.*" And in this Lyndwood agrees with him, allowing that the dean rural might inflict some of the lesser censures for slight offences: but greater matters he was to refer to the superior ordinary, at the next synod, or convention of the clergy; for which reason also he looks upon him to have been called by the canonists *testis synodalis*.

From the cognizance of greater, and particularly of *matrimonial causes*, he was entirely excluded by a constitution of Otho, both because he was not always supposed duly qualified for a discussion of them, by his skill in canon law; and because also, as I apprehend, his office was often likely to determine ere such intricate causes,

where many witnesses were to be examined, could be ripened to a sentence. Nor could he ever *prescribe* to a custom of hearing such causes; because, as Lynwood well observes, by reason of a *temporary office*, no prescription lies. On this account, as well as others, the office must needs afterwards have declined apace; because a disuser would bar them of any branch of their authority, and no custom whatsoever could either give them what they had not, or restore to them what they had lost.

It was likewise the Dean-rural's business to instruct the younger clergy in the way of administering and ordering sacraments and sacramentals, according to the canons and customs of the church, to appoint preachers for solemn occasions, to take care of the sequestration of vacant livings, and to provide for the supplies of the cure. He took order for, and certified the execution of, processes and decrees out of the superior Court-Christian [and had perhaps on this account the title of *Decanus Christianitatis* bestowed on him].

Through his hands went the mandates for *induction*, and those for the choice of convocation-clerks, which are still also transmitted by him. For this purpose he had his *apparitors*, and other under-officers, and an authentick seal, on which the name of *his office* was engraved, but not his *own*; that being allowed only to those *ecclesiastical judges* who were *perpetual*; whereas the office of rural Dean was *temporary*, and of no longer continuance, even in Lyndwood's time, than it is now. "*Quolibet anno*," says he, "*mutantur Decani, et fiunt novi*." This was now settled; but two hundred years before, in *Otho's* time, it appears that they were very unwilling to resign their office with their seals, at the expiration of the year. And therefore a particular constitution was made by that legate, to compel them to it. I wish the case were not much altered, when that office is accepted by some as unwillingly as it was then parted with.

The incumbents of the *Deanry* were his *chapter*, which he summoned, as he saw cause, upon special emergencies; but had also stated times of convening them: for some of them were held once in three weeks or a month; others, once a quarter; which last were called "*Principalia capitula propter majorem confluentiam cleri, et quia in his de negotiis arduioribus tractari consuevit*."

In these quarterly *chapters* (wherein first the rural Deans only, but afterwards the archdeacons, or their officials, often presided) deliberation was held of such matters as were thought proper to be laid before the bishop; and the parochial clergy advised together about all affairs in which they were particularly concerned, and took common measures and resolutions upon them; a most excellent and wise institution, fitted to keep up order and uniformity, and to cultivate a good correspondence among the

neighbouring clergy; to arm them against common dangers and difficulties, and enable them every way to promote the interest of religion and virtue, and the good of souls committed to their charge.

And therefore a right honourable and right reverend prelate, who adorned the pastoral character as much as any bishop of his time, hath, in his conferences with the clergy of the several deantries in his diocese, revived the image of these rural chapters, and pursued the ends of them.

The use of these rural chapters was little known out of England; for which reason Lyndwood forbears to say much of them:—“*Quid magis nituntur consuetudini patriæ quam juri communi, de iis ullerius scribere omitto;*” though for that very reason one would have wished that he had been more particular in his account of them.

The editor of the *Parochial Antiquities* applies this passage of Lyndwood to the rural deans themselves, and not to their chapters, to which however it solely belongs.

And now, my reverend brethren, having taken as distinct a view as the time would permit of those powers which formerly belonged to deans rural, and of the great usefulness of such officers, especially in conjunction with their chapters, give me leave, in the first place, to bemoan the decay of this part of ecclesiastical discipline; and from my heart to wish the revival of it; and then, till that shall happen, in the next place to beseech and exhort you to do what in you lies towards preserving the poor remains of those powers which are still left, and rendering them useful to the purposes for which they were intended.

In matters of public government, the business of private persons is, I confess, to make the best use they can of the present state of things, without endeavouring to disturb it by new models and schemes, which they think may be of more service. But when a main branch of our ancient ecclesiastical constitution hath been dropped by a gradual disuse, no man's modesty needs restrain him from interposing towards a revival of it. And that is the case of rural deans and chapters; which is no new-fangled device, but an institution (as you have heard) of venerable age, by long experience approved, and practised with greater influence and success in this than in any other part of Christendom. We are sure, therefore, that it is well adapted to our constitution; and would be so far from interfering, that it would fall-in with the other parts of it, and even contribute to support and strengthen them; and enable those who in an higher sphere hold the reins of ecclesiastical discipline (too long and too much slackened) to guide them to better advantages than they do, or can do at present. This, I am sure, was the opinion of those who, after the reformation of the

doctrine, were employed to draw up what was necessary towards completing the discipline of the church; and to that end compiled the *Reformatio Legum Ecclesiasticarum*, wherein the chapter of Deans rural (which I recommend to your perusal) contains a very full and particular account of their office, as it was then intended to be restored.

When this project proved abortive (for what reason they may easily guess, who consider how ready some men have all along been to blame the defects of our church-discipline, and how unwilling at the same time to supply them with proper provisions, lest they should want occasions of complaining); I say, when this scheme, in which the civil power was chiefly concerned, took no effect, the ecclesiastical power did *what* it could to set things right by authority of convocation. And among the canons framed for this purpose, one in MDLXXI. shews how sensible the then bishops and clergy were of the usefulness and importance of the Dean-rural's office, about which they thus determined:—

“Peractâ visitatione, archidiaconus significabit episcopo quos invenerit in quoque decanatu eâ doctrinâ et judicio præditos, ut digni sint qui pro concione doceant populum, et præsent alius. Ex his episcopus potest electum facere, quos volet esse decanos rurales.”

Here is no account given of the several powers and duties belonging to this ecclesiastical officer: two particulars only are mentioned—That he should be well qualified to *preach* and to *govern*. But good *preachers then*, in the infancy of our Reformation (when many illiterate men were of necessity to be ordained) being not to be found in every Deanry, the character and power of this officer lessened every day; so that the Convocation of MDCIII. (which fixed that body of canons whereby our church is now governed) appears not to have entered into any measures towards restoring it.

It hath been endeavoured indeed to promote the same end by *other means*, with which our constitution is wholly unacquainted; namely, by a voluntary erection of societies for the reformation of manners. Far be it from me to condemn the zeal of those persons who with good intentions entered on that desirable work, however unqualified they might be for it. But, when we consider who have encouraged it most, and been most employed in it, we may be allowed to suspect, that one end which some men have had in carrying it on, was to take the inspection of manners out of their hands to whom it most properly belongs; and by that means to render *the function* as useless as they could, in order to its becoming contemptible.

This, indeed, together with many other steps taken to the same purpose, not

necessary here to be repeated, gives us no very comfortable prospect of procuring any enlargement of the powers we already possess in matters appertaining to religion and virtue, or of retrieving any of those we have lost. However, some favourable juncture may arise, when our superiors in church and state shall lay these matters to heart, and think them worthy of their most serious and wise consideration. And sure I am, that, if ever a re-establishment of church-discipline in its vigour be sincerely intended, one, and a chief, method of promoting it must be by a restoration of rural deans and chapters, to the full extent of their ancient powers.

Let us join in common wishes for this; and not forget, in the mean time, to exert the powers of which we are indubitably possessed. The office of dean rural is still a great trust, as it carries with it the care of the church fabrick and utensils, of preventing dilapidations, and of inspecting the manners of the clergy. These particulars are expressly included in his present oath; the conscientious observance of which is a matter of great consequence; and therefore the *choice* of such persons as are to discharge these duties ought not to be neglected or eluded.

And when they are chosen, it were to be wished that they would, as soon afterwards as conveniently they can, set about the work, without deferring it, as they too often do, to the very time of the expiration of their office; when they have neither leisure nor inclination to make due inquiries, or at least due presentments upon them; but satisfy themselves with the promises of the respective persons, incumbents, to set things right, without having time left sufficient to *oblige* them to perform those promises; which are made again, perhaps, to the next dean rural, towards the close of his office also, with as little effect as they were to the former; and thus dilapidations and the decays of churches increase without end and without remedy.

The canon of MDLXXI. does, as we have heard, mention *preaching*, as one part of the dean-rural's business. I will not say that it certainly meant the *Visitation Sermons*. However, though this be not provided for *specially* by canon, yet the power of the ordinary, confirmed by custom, hath made it *binding*. And, I hope, it will be looked upon by those of my brethren who have a right sense of this matter, rather as an honour than a burthen.

I am sensible I have detained you long; and yet there is somewhat still behind, relating to this argument. But I shall reserve it to be proposed and considered when we meet together in private.

Atterbury's Correspondence, Vol. II. pp. 234—254.

2. MANDATE FOR THE ELECTION OF A **Dean Rural** IN THE
ARCHDEACONRY OF CORNWALL.¹

GEORGE MARTIN, clerk, Master of Arts, vicar-general in spirituals, and commissary of the Right Rev. Father in God, Henry, by Divine permission, Lord Bishop of Exeter lawfully constituted, To our beloved in Christ, John Sheepshanks, clerk, Master of Arts, archdeacon of the archdeaconry of Cornwall, greeting—

Whereas, amongst other customs and constitutions of the Church of England, it is ordered and appointed, that, for the better government of the church within the diocese of Exeter, **Deans rural** be yearly elected for each **Deanry**—We, therefore, charge and command you, that you monish, or cause to be monished, all the clergy of the said archdeaconry before you assembled, on any competent and convenient day and place, then and there to elect and nominate one fit and convenient clerk of each **Deanry**, to be the **Dean rural** of each **Deanry** within the said archdeaconry for the year ensuing. And we hereby give you free power and lawful authority to administer, in due form of law, to each and every of the **Deans rural**, who shall be elected in pursuance of this mandate, the usual and accustomed oath under written, for the faithful execution of their respective offices. And what you shall do herein you shall duly certify us on or before the first day of August next, together with these presents.

Given under seal of our office, the first day of June, in the year of our Lord One thousand eight hundred and thirty-two.

WILLIAM GRAY, Act^y. Assumed.

3. INSTRUCTIONS FOR EXECUTING THE OFFICE OF **Dean Rural** WITHIN THE
ARCHDEACONRY OF CORNWALL.

THE **Dean rural** is elected annually by the clergy assembled at the archdeacon's visitations, and in consequence of a mandate issued by the vicar-general of the bishop of the diocese; and which enjoins the following oath, which from time immemorial has been taken by the **Dean rural**, for the faithful execution of his office, to be administered by the archdeacon, his official, or surrogate.

(¹) A duplicate of the same mandate has been kindly supplied (*mutatis mutandis*) by the Ven. G. Barnes, D.D. archdeacon of Barnstaple.

"You shall swear well and truly to execute the office of a *Dean rural* within your *Deanry*, for the year ensuing: you shall diligently, in the year, visit all churches and chapels within your *Deanry*, as also all parsonages and vicarage-houses: you shall make true presentments of such defects as you shall find therein, and also the defects of books, ornaments, and other utensils and furniture, belonging to each church or chapel: you shall, either by yourself or deputy, faithfully execute, or cause to be executed, all such processes and mandates as shall be sent to you from your ordinary, and make true returns of the same.—So help you God."

The benefits resulting from the execution of this ancient office have of late years been so self-evident and important, within the archdeaconry of Cornwall, that every endeavour to assist the *Dean rural*, in the discharge of his duty, may serve to encourage a perseverance in so useful an office; and tend to relieve parishes and incumbents from very heavy burthens, to which they are frequently subject, by the neglect of those necessary repairs to churches and glebe-houses which an annual visitation and report of the *Dean rural* might prevent. With this view, it has been thought proper to suggest the following regulations for the government of all parties concerned, and by which much trouble and time may be saved.

The *Dean rural*, being elected at the archdeacon's visitations, will be immediately sworn into office; but should he not be present when elected, he should, within a fortnight of that time, apply to the official, or a surrogate of the archdeacon, for that purpose. He will receive with these instructions a book of printed forms; on which he will write off his presentments, after he has visited the respective parishes in the *Deanry*, observing the directions at the end of the book: he will set his name to the presentments of each parish, in order to render them authentic. He will also receive with the blank book of forms, a copy of the book of presentments of his last predecessor; by which he will see what was presented by the latter; and by taking this book with him, when he goes to visit the churches, he will be able to ascertain what steps have been taken to remove the former presentments, and to make his own accordingly. The churchwardens will be furnished, from the registry-office, with a copy of the *Dean-rural's* presentments, as far as respects their own parish, made out on a sheet of paper printed on a form corresponding with the *Dean-rural's* book; on which they will be required to make a return to the archdeacon, at the next visitation, of what has been done in consequence of such presentments, and for which they will have nearly the whole year before them. They cannot, therefore, have the same excuse that the churchwardens going out of office heretofore had, "that there was

not sufficient time between the Dean rural's visiting, and the archdeacon's visitation, for doing the repairs, &c." And as they then went out of office, and their successors did not consider themselves obliged to attend to the directions given by the Dean rural to the preceding churchwardens, little or nothing was done. It is to be observed, that by this scheme there will be an entire alteration of the former practice; for instead of the presentments being given in charge to the churchwardens *going out of office*, the copy will be delivered over to the new churchwardens, at one visitation, and at the next must be returned to the court, who will examine the churchwardens, and inquire what has been done thereon, within the year past. It is obvious from this regulation, that the book, with the presentments filled up, and signed by the Dean rural, should be returned to the registry-office some short time before the archdeacon's visitation begins, that it may be ready for the archdeacon's inspection, and a copy thereof made for the succeeding Dean rural; and also a copy, so far as relates to each parish, for the new churchwardens, when they come to be sworn at the visitation. To insure this, and that no accident may occur in the conveyance of the book to the registry-office, the apparitor will have directions to call for it at the Dean rural's glebe-house¹, when he goes with the annual citation to summon him to the visitation, which is usually a month before the visitation begins. It is therefore requested, that the Dean rural will be punctual in getting this book ready for the apparitor; as it is evident that any disappointment will be attended with great inconvenience to all parties. In order to give as much time as possible to the churchwardens to do the repairs, and supply the defects, stated in the presentments, it would be desirable that the Dean rural should defer his visiting till within a fortnight or three weeks of the time of the apparitor's calling for the book; that is, about six weeks before Whitsun-week, when the visitations usually begin.

" REV. SIR,

" I beg leave to inform you, that at the Visitation Court of the worshipful the Archdeacon of Cornwall, held here this day, you were elected, by the clergy then assembled, Dean rural of the Deanry of _____ for the year ensuing. And as it is customary for the Dean rural to preach a sermon at the next Visitation after his election, I am directed by the Archdeacon to signify to you his desire that you will

(¹) If the Dean rural should be non-resident, the book should be left with his curate.

preach at his next Visitation, to be held at this place. I also send you the above Instructions for executing the office of Dean rural.

“ I am, Rev. Sir, your most obedient humble servant,

“ To the Rev. _____”

N.B. It is usual for the Dean rural to attend the Archdeacon at the inn, immediately after the service of the church is over; when the churchwardens will be sworn, and the Dean-rural's presentments given in charge to them.

IN THE ARCHDEACONRY OF CORNWALL.

Deanry of } THE Presentments of the Dean rural of the said Deanry, exhibited at
 } the visitation of the worshipful the Archdeacon of Cornwall, held at
 within the said archdeaconry, on the day of
 in the year of our Lord 18 .

I the Dean rural of the said Deanry, having visited all the churches and chapels, and also the parsonage and vicarage houses, within the said Deanry, do present the several persons, matters, and things, in the schedule underwritten, arising and being within the several parishes within the said Deanry, in the said schedule mentioned, and which are set opposite to such parishes respectively.

Dean Rural.

SCHEDULE.

THE KEY OF THE CHURCH IS KEPT AT	No.	PARISHES.— <i>Persons, Matters, and Things presented.</i>	No.	<i>Churchwardens' Return.</i>
		<p><i>Visited by me, this day of 18 ,</i> <i>Dean Rural.</i></p>		

DIRECTIONS FOR FILLING UP THE FORM OF PRESENTMENT.

THE number on the right-hand side is to be the number of every presentment in each parish, which is to be set down by the Dean rural; and the number on the left-hand side is to be the corresponding number against which the answer or return of the churchwardens is to be inserted, in the column left for that purpose in the copy of the presentments delivered to them at the last visitation.

THE FOLLOWING MAY SERVE AS A SPECIMEN.

No.	PARISH.— <i>Persons, Matters, and Things presented.</i>	No.	<i>Churchwardens' Return.</i>
	Rectory of ADVENT.		
1.	The North Wall of the Church in a dilapidated state.	1.	Repaired.
2.	The Church Bible much torn and defaced.	2.	A new one provided.
3.	The Roof of the Parsonage House in a bad state, and the Walls of the Stable thereto belonging very ruinous.	3.	These are now undergoing Repair.
4.	A Seat in the South Aisle of the Church, belonging to Mr. A. B., in a decayed condition.	4.	A. B. has been presented by the Churchwardens for not repairing this Seat.

N.B. It is recommended to the Dean rural to visit the churches and glebe-houses a short time before Easter; and to enter his presentments in this book, immediately afterwards, so as to have it ready for the apparitor to bring to the Court when he summons the Dean rural to the visitation; as his presentments must be copied, to be delivered to the churchwardens sworn at the then ensuing visitations. And in order to render the parochial visitations of the Deans rural, and also of the archdeacon, more convenient, the key of every church should be kept at some certain place near the church; which should be noted by the Dean rural, in the blank left for that purpose in the margin of the presentments: and to this place, letters, relating to the office of Dean rural, should be addressed, to be forwarded to the churchwardens, who may sometimes live at a great distance from the church.

4. FORM OF *Kuri-Deconal* JURAMENT, IN USE, ABOUT A CENTURY AGO, IN THE
ARCHDEACONRY OF CORNWALL.

TENOR JURAMENTI *Detani* Episcopi, IN COMITATU CORNUBIE ET DIOCESI EXONIENSI.

YOU, George Davies, shall swear, That you will well and truly execute the office of *Dean rural*, within your *Deanry*, for the year ensuing. You shall diligently, in the year, visit all churches and chapels within your *Deanry*; and also all parsonage and vicarage houses. You shall make true presentments of such defaults as you shall find therein; as also the defect of books, ornaments, utensils, and other furniture belonging to each church. You shall observe the manners and conversation of your brethren the clergy; whom (if obnoxious) you shall admonish; and if, thereupon, they shall not reform, you shall detect and present them to the ordinary, that they may be proceeded against according to law. You shall, either by yourself or deputy, faithfully execute, or cause to be executed, all such processes and mandates as shall be sent you from your ordinary, and make true returns of the same.—So help you God.

Sacramentum superscriptum præstabat clericus prædictus Georgius Davies de parochiâ Sancti Perrani de Uthno in *Detanatu* Penwith rector. Tertio die Mensis Decembris, anno MDCCXXX.

Coram me RICARDO W—— (The Name
is defaced.)

SECT. XIV.—*Diocese of Gloucester.*

THE see of Gloucester was one of the six erected by King Henry VIII., having previously formed part of the diocese of Worcester. It comprises the whole of the county of Gloucester (with the exception of the *Deanry* of Bristol, which belongs to that see), and one parish in Wiltshire. It has only one archdeaconry, viz. of Gloucester; divided into the following *Deantries*—Gloucester, Cirencester, Fairford, Hawkesbury, Dursley, Campden *cum* Blockley peculiar, Stow, Stonehouse, Winchcomb, and Forest¹.

(¹) The *Church Commission* (A.D. MDCCCXXV.) proposes, that the diocese of Gloucester shall consist of the county of Gloucester (except those parishes which are now in the diocese of Bristol, and that part of the *Deanry* of Campden which lies to the north-east of the chapelry of Snowhill); of the *Deantries* of Malmesbury and Cricklade, in the county of Wilts,

now

The charter of erection bears date *A.D.* MDXLI.: and we have evidence of the existence of *Deans rural* in the diocese fifteen years after, *viz.* *A.D.* MDLVI.

The "*Injunctions given in the visitation of the moste reverende father in God, the lorde Cardinal Poole's grace, legate de Latere, by his subdelegate James, by the permission of God bushope of Gloucestre, througheoute his diocesis of Gloucestre,*" notice them as, at that time, in the employment of "the ordinarie." (See *CC. M. B. et H.* Vol. iv. p. 146.)

After the lapse of more than a century and a half, it is reported, by Archbishop Secker, of Bishop Benson, that, on the latter's appointment to the see of Gloucester (*A.D.* MDCCXXXIV.), "he found the very useful institution of rural *Deans* not quite extinct," and that "he completely revived it." See Secker's *Charges, Fifth Charge*, MDCCCLIII. p. 186; and Porteus's *Life of Secker, Works*, Vol. vi. p. 42.)

Whether the office had ever been suspended, after its first establishment in the very infancy of the see, does not appear. Equally uncertain is its condition, from the days of Bishop Benson (*A.D.* MDCCXXXIV.—MDCCCLII.) to those of Bishop Huntingford (*A.D.* MDCCCII.—MDCCCXV). During the latter's incumbency, the only evidence I have to adduce of the existence of *Deans rural* in the diocese (and meagre as it is, it is just worthy of notation), is the dedication of the bishop's admirable *Charge to the Clergy on the petition of the English Roman Catholics*; which is addressed "to the archdeacon, *Deans rural*, and clergy of the diocese," (*A.D.* MDCCCX).

Bishop Benson was a most active and energetic renovator of the useful powers of *Deans rural*. In his letter of commission, issued shortly before his primary visitation, he expresses his determination "to *continue* the ancient authority and use of rural *Deans*." The same determination is expressed by Bishop Monk—"to *continue* the office where it now is, and to *revive* it where it is not." The documents, employed by Bishops Benson and Monk, and kindly supplied to me by the Rev. H. H. Norris, rector of South Hackney, are annexed.

now in the diocese of Salisbury; and of the parishes of Red Marley, Stanton Saint James, Chaseley, Eldersfield, Bushley, Bredon, with Norton and Cutsdean, Overbury, with Washbourne, Teddington and Alston, Sedgbarrow, and Icomb, now in the county and diocese of Worcester.

1. APPOINTMENT OF Rural Dean OF THE DIOCESE OF GLOUCESTER,
BY BISHOP BENSON, A.D. MDCCLXXXIV.

MARTIN, by Divine permission, Bishop of Gloucester, To our well-beloved and reverend brother, *A. B.*, rector of *C.*, in the deanry of *D.*, and archdeaconry of *E.*, greeting—

Whereas we intend, by God's assistance, to hold our primary visitation in a short time, that we may the better understand, and be acquainted with, the state of our diocese, we think fit to continue the ancient authority and use of rural deans, that, by persons of the best ability and integrity in every neighbourhood, we may be fully informed of, and may consider how all disorders in the laity, as well as clergy, in our diocese, may be reformed: and having good account of the prudence, piety, and learning of you, the said *A. B.* we do, by these presents, constitute and appoint you, the said *A. B.*, to be rural dean in the deanry of *D.*, in the archdeaconry of *E.*; requiring your care and diligence, in observing, and reporting to us, all disorders in the parishes of the said deanry, especially as to the matters contained in the articles of inquiry hereunto annexed; and desiring that you will return a particular and distinct answer to every question under the name of each parish. In doing which faithfully, you, the said *A. B.*, will very much assist us in the discharge of the great duty incumbent upon us.

In witness, &c.

2. APPOINTMENT OF Rural Dean IN THE DIOCESE OF GLOUCESTER,
BY BISHOP MONK.

JAMES HENRY, by Divine permission, Bishop of Gloucester, To our well-beloved and reverend brother *A. B.*, rector of *C.*, in the deanry of *D.*, and diocese of Gloucester, greeting—

Whereas, we, being very desirous fully to understand and constantly to be informed of the state of our diocese, have, upon mature consideration, thought fit to continue where it now is, and to revive where it is not, the ancient authority and use of rural deans, as one of the properest and most conducive means in order to obtain this end; that, by persons of the best ability and integrity in every neighbourhood, we may be at all times fully informed of the state and condition in which all things are in all parts of our said diocese—We, therefore, having a good account and opinion of the

piety and learning, and confiding in the prudence and diligence of you, the said *A. B.*, do, by these presents, constitute and appoint you to be rural Dean in the Deanry of *D.* aforesaid; requiring that fidelity, care, and diligence, in observing, inquiring into, and making to us a report from time to time, of all things and persons within all the parishes of the said Deanry, which it may be proper to us, or useful to our diocese, that we should have information concerning. And, at this time, we particularly desire and require of you, that, in order to your own knowing and being able to inform us of the true state and condition of the said Deanry, you will, as soon as with conveniency you may, visit parochially every church and chapel, and house of the minister within the same; and that you will leave in writing, under your hand, an order at each place, specifying the things which you shall judge wanting to be repaired, amended, or done there: and that you will, at the end of the said order, require that that very paper be, by such a limited time, returned to you, with a certificate at the bottom of it, signed by the minister, church- or chapel-wardens, that all things are repaired and done according to what is therein directed. And, when this the visitation is finished, we do desire and require you to make a report to us of the state and condition in which you find the churches, chapels, houses of the ministers, and all other things within the said Deanry, into which your Articles of Visitation direct to have inquiry made. And, further, we expect and require the same fidelity, care, and diligence, at all times, in observing, inquiring into, and reporting to us, as occasion shall arise, an account of all irregularities and disorders of all kinds which may happen, and the behaviour of all persons, and the state of all things, within the said Deanry. In doing which faithfully, you, the said rural Dean, will very much assist us, your bishop, in the discharge of the great duty incumbent upon us. In witness whereof, we have caused our episcopal seal to be affixed to these presents.

Dated, this day of in the year of our Lord and
of our consecration the fourth.

SECT. XV.—Diocese of Hereford.

THE diocese of Hereford contains the county of Hereford (excepting eleven churches and chapels, which belong to the see of Saint David's), the largest part of Shropshire, four parishes in Monmouthshire, six in Montgomeryshire, eight in

Radnorshire, and twenty-one in Worcestershire¹. It is divided into two archdeaconries; viz. Hereford and Salop: the former of which consists of the *deantries* of Hereford, Frome, Irchingfield, Lempster *alias* Leominster, Roase, Weobly, and Weston: the latter, of those of Burford, Clun, Ludlow, Pontesbury, Stottersden *alias* Sottersden, and Wenlock.

The registry-office of the diocese affords no information respecting the *ruri-decanal* charge. Wilkins does not notice it in connexion with the see of Hereford. Nor have I met with any vestiges of it, save the names of the *decanates in general* throughout the diocese, in the *Taxatio Ecclesiastica* P. Nicholai, and those of two *deans rural in particular* within the county of Salop—the one of Ludlow, the other of Ponsbury—in the *Valor Ecclesiast.* Henr. VIII. pp. 200, 212.

Would not the archdeacons of Salop and Hereford derive assistance in parochial visitation from the institution of *deans rural*? The office has been beneficially restored in dioceses of less magnitude than Hereford.

SECT. XVI.—Diocese of Lichfield and Coventry.

THE diocese of Lichfield and Coventry includes the whole counties of Stafford and Derby (excepting two parishes of the former), the greatest part of Warwickshire, and nearly half of Shropshire. It is divided into four archdeaconries: I. Coventry—containing the *deantries* of Coventry, Arden, Marten, and Stoneley. II. Stafford—containing Lapley and Treizull, Leeke and Alton, Newcastle and Stone, Tamworth and Tutbury. III. Derby—containing Derby, Castillar, Chesterfield, Ashborne, Alto-Pecco *alias* High-Peak, and Repington. IV. Salop—containing Newport, and Salop².

(¹) The *Church Commission* (A.D. MDCCCXXXV.) recommends that those parishes in the county of Hereford, which are now in the diocese of Saint David's, and the *deanry* of Bridgenorth, locally situate between the dioceses of Lichfield and Hereford, shall be added to the diocese of Hereford; that those parishes which are in the county of Worcester and diocese of Hereford shall be transferred to the diocese of Worcester; and those which are in the county of Montgomery and diocese of Hereford, to the diocese of Saint Asaph and Bangor.

(²) The *First Report of the Church Commission* (A.D. MDCCCXXXV.) proposes to add to the diocese of Chester (reduced by certain alterations and curtailments—for which see *Chester Documents*) those parts of the county of Salop, which are now in the dioceses of Lichfield and Coventry, and Saint Asaph. The diocese of Lichfield will consist, according to this *Report*, of the counties of Stafford and Derby.

The early history of the decanal office within this extensive and populous jurisdiction is blended with that of the diocese of Chester, already discussed. While the archdeacons of Richmond and Chester were attached to the diocese of Lichfield and Coventry—an almost immeasurable jurisdiction—it seems that the rural deans were removeable at the will of those archdeacons. Such was the constitution of the office in the year mcc., according to the *Ms.* Ledger-book of the diocese of Chester: but subsequently the office came to be held for life. Many notices of deans rural in the old diocese of Lichfield and Coventry occur in our previous pages—some as early as the beginning of the twelfth century (*Hist. of Craven*, p. 481. Edit. 2d.)—others towards its close;—and others again in the thirteenth century. Indeed, if we may believe the *proofless* assertion of Whitaker, the office existed in this diocese in the seventh century—(*Hist. of Manchester*, Vol. II. p. 381). But of the unreasonableness of the assertion we have elsewhere spoken.

I am not aware that deans rural—so useful as parochial visitors in *all* dioceses, and especially in *large* ones—have ever been revived in the diocese of Lichfield and Coventry, since the disjunction of the see of Chester from it. Bishop Ryder has caused accurate search to be made amongst the muniments of the mother-see, but has not been able to obtain any information of such officers having ever existed within the diocese;—a statement which would excite some surprise (as being at variance with the known fact of their existence before the separation referred to), did we not know that the rural deans of the archdeacons of Richmond and Chester were *exclusively* the servants of those archdeacons, and entirely exempt from episcopal rule. The archdeacons themselves were, to all intents and purposes, in their respective archdeacons, prelates with episcopal jurisdiction; save in the points of ordination and confirmation alone. They instituted to benefices, and performed other episcopal acts, aided by their rural deans; who had no necessary connexion with the bishop of the diocese, but were accountable *alone* to their respective archdeacons, and could even refuse citations to appear at the archiepiscopal court of York.

Thence, I conceive, no traces of their appointment occur in the episcopal records of the see of Lichfield and Coventry. But, assuredly, this can be no bar to the revival of the office in modern days, within the archdeacons of Derby, Coventry, Salop, and Stafford—if the bishop and archdeacons should think fit to avail themselves of subordinate parochial visitors within those extensive jurisdictions. That deans rural would be found most useful helpmates, in that capacity, to the diocesan and other existing functionaries, I have no doubt.

SECT. XVII.—Diocese of Lincoln.

THE diocese of Lincoln contains the counties of Lincoln, Leicester, Huntingdon, Bedford, Buckingham, the better part of Hertford, and some few parishes in the counties of Oxford, Rutland, Northampton, and Warwick. It is distributed into six archdeaconries: I. Lincoln—which is again divided into the *deantries* of Lincoln, Aswardburn *cum* Lafford, Aveland, Beltislaw, Bolingbroke, Candleshoe, Calcewaith, Gartree, Grantham, Graffoe, Grimsby, Hill, Horncastle, Holland, Longobovey, Loveden, Louthesk and Ludburgh, Nesse, Stamford, Walscroft, Wraghoe, and Yarburgh. II. Stow—divided into those of Aslacko, Coringham, Lawres, and Manlake. III. Leicester—divided into those of Leicester, Ackley, Framland, Gartree, Goscot, Goodlaxton, and Sparkenhoe. IV. Bedford—divided into Bedford, Clopham, Dunstable, Eaton, Fleet, and Shefford. V. Huntingdon—divided into those of Huntingdon, Saint Ives, Leightonstone, Saint Neot's, Yaxley, Baldock, Berkhamstead, Hertford, and Hitchin. VI. Buckingham—divided into those of Buckingham, Burnham, Mursley, Newport-Pagnell, Waddesden, Wendover, and Wycombe¹.

Within this extensive diocese there were till lately no rural *deans*; and they are now only *partially* revived. The office, Bishop Kaye found, at the period of his installation, had long fallen into disuse—the only trace of it, *then* remaining, being in the *deanry* of Stamford²—where, the bishop says, it seems to have been preserved *solely* because the *dean*, in conjunction with the vicar of *All Saints*, Stamford, has the appointment of the warden, &c. of Brown's Hospital in that town.

Much, however, as the function has fallen into decay in modern days, it was of early institution in this diocese. In the days of Jeffery, lay-bishop elect of Lincoln (*circiter* A.D. MCLXXII.), it certainly existed (Wharton's *Anglia Sacra*, P. II. p. 378); and, at a later period, it flourished in all the vigour of its best days. During the occupation of the see of Lincoln by Robert Grossthead, *deans* rural are again and again mentioned in the epistolary correspondence of that eminent prelate with his archdeacons and others, preserved by Mr. Brown in his valuable *Fasciculus*. See

(¹) The *First Report of the Church Commission* (A.D. MDCCCXXV.) proposes that the diocese of Lincoln shall in future consist of the counties of Lincoln and Nottingham alone.

(²) The *Decanus* de Stamford is mentioned by Prynne, in the thirty-ninth year of Henry III., from the *White-Tower* Records. See his *Papal Usurpations*, Tome Third, B. V. c. I. p. 111.; and a foot-note towards the close of the capitular duties of *deans* rural in the preceding pages.

Epp. 50. 84. 107. (*Fasciculus Rerum*, Tom. II. pp. 340. 364. 382.) They are also noticed in the "*Charta Lincoln. Ecclesiæ de consuetudinibus et libertatibus ejusdem ecclesiæ* (A.D. MCCXII.)," published by Wilkins (*CC. M. B. et H.* Vol. I. p. 537.):—wherein it is expressly stated that the churches of the prebendaries and canons are to be exempt from rural-decanal jurisdiction. Nor are the traces of them few in the ecclesiastical memorials of the see of after date, as the future pages of our Appendix will shew:—in which we have *A Mandate* of Oliver Sutton (A.D. MCCXCI.) addressed to the rural dean of Hoyland:—*An Inhibition* and *Monition* from the same to the same (A.D. MCCXCII.):—*An Admonition* from the same to the archdeacon of Bedford, relative to the expences of the dean rural of Shefford (A.D. MCCXCIII.):—*A Mandate* from the same to the dean of Christianity of Lincoln (A.D. MCCXCIV.):—*An Inhibition* of John Dalderby (A.D. MCCCIX.) addressed to the deans rural of C. and B.:—*An Inhibition* from the same to the rural dean of Northampton (A.D. MCCCXIV.): and lastly, *A Commission* of Henry Burgh (A.D. MCCCXXV.) respecting revenues received by deans rural and others, *vacante archidiaconatu*.

In the reign of Henry VIII. deans rural were in existence, though their preferments are recorded as valueless. The *Valor Ecclesiasticus* of this king notices many of the incumbent deans, with this report annexed—"profic' ejusdem decanat' per annū nil." Several of the deantries seem to have been consolidated and held by the same individual, who is registered as dean of Christianity of Leicester, dean of Framland, of Goscote, of Acley, of Sparkenhoe, and Goodlaxton. (See *Valor Eccles.* Vol. IV. pp. 85. 145. 149. 163. 173. 179. 182.)

At the latter end of the following century, Bishop Gardiner complains, in his *Advice to the Clergy of the Diocese of Lincoln* (A.D. MDCXCVII.), of the want of rural deans. "Episcopal visitation," he writes, "has an eye both to the clergy and laity; but principally to the clergy, to whose cure and conduct, in order to their eternal salvation, the laity are committed. This is a vast business in this large diocese, and requires great diligence, and application of mind; and I have often been much concerned and grieved, that I want that assistance, of which the constitution and external regiment and administration of this church has been provided: I mean, the assistance of rural deans, which office is a part of our constitution, and is yet exercised in some dioceses of this kingdom, but has unhappily been disused in this (for how long time I know not), to the great loss and hindrance of ecclesiastical administration.

"By the impartial and diligent execution of this office, the bishop might be eased in a great part of that duty, which is too heavy a burthen for his own shoulders.

The ignorant, the factious, the scandalous, the negligent, the dissenting, might easily be detected in a small *Deanry*; and being signified to the bishop, or rather first of all and immediately to the archdeacon, might be timely and duly corrected, and reformed. For the archdeacon, inhabiting within his archdeaconry, as it is most proper, might easily be resorted to upon occasion, and so hear and amend many faults, which might be brought to him by the rural dean, without application to the bishop.

“ If a bishop of this extensive diocese was provided of active and faithful persons in the several *Deanries*, which retain the name, yet his business might be manageable, and his authority and government useful; whereas, for want of these, no bishop here can do so much and so well as he might be willing and glad to do.”

In a ~~Ms.~~ Letter of the same prelate, addressed to Dr. White Kennett, two years later—viz. Nov. 3, MDCXCIX.—he expresses an earnest desire to have rural *Deans* re-appointed, as “ likely to be usefull officers in the diocese, especially in the present condition it is in, where none of the six archdeacons reside in their archdeaconries; by reason of which,” says the bishop, “ I want necessary information, and the people usefull admonition and correction, of which I have been sensible ever since I took this great charge upon me: therefore it has been much in my thoughts to restore the office of rural *Deans*; which may supply the deficiency of the archdeacons, who have inroached much upon their office,” &c.

The vicar of Ambrosden, in reply, “ blesses God for moving his Lordship to restore such an antient and most usefull custom of the church, as that of rural *Deans*; and does not question but his wise example, and the visible good effects of it, will soon dispose his R. R. brethren to the same laudable practice, than which nothing would more recover the fatal decays of ecclesiastical discipline, or more reinforce the true spirit of religion.”

Whether Bishop Gardiner carried his intentions into execution, and availed himself of the sensible suggestions of his antiquarian correspondent, elsewhere reported, I am entirely uninformed. No documents of any kind are known to me bearing upon the *Deanal* office of the diocese of Lincoln, from the days of Henry Burgh to those of James Gardiner; *that is*, from near the middle of the fourteenth to quite the close of the seventeenth century; nor have I any of later date to lay before my readers, till we come down to our own times. I do not believe that *Deans* rural, if they were restored by Bishop Gardiner, enjoyed a long-lived existence.

The lack of such local *church-ordinaries* during the past century is too plainly demonstrated by the condition of the ecclesiastical buildings in the archidiaconate of

Lincoln, on the evidence of Dr. Goddard before the Ecclesiastical Courts' Commissioners. To the question—"In the course of your visitation¹, what did you find to be the general state and condition of the parochial churches and chapels?" (See *Ecclesiast. Courts' Commis. Report*, A.D. MDCCCXXXII. p. 134.)

The archdeacon's reply is—"I found it extremely bad when I first came, in consequence of there having been no parochial visitation for forty years, and of the archdeaconry having been seldom visited in person, even at the *general* places of visitation. The result was, that some² of the churches were falling down, and a great many others were out of repair." Again, at p. 137, Dr. Goddard says of the glebe-houses, that "some of them are out of repair;"—and farther, that "repairs ordered by his predecessor, Dr. Gordon, forty years before, had never been executed."—Again, of the clergy he says, that "he has had occasion to represent them to the bishop repeatedly."

Surely it will not be deemed impertinent to suggest, after this painful enumeration of the evils consequent on the absence of parochial visitation, that "where archdeacons are prevented, either by the distance of their usual residence, by the smallness of their income, or by infirmity, from complying in person with the canon which requires the visitation of every church subject to their jurisdiction once in three years, such failure of personal superintendence, *in some degree*, may be supplied by the appointment of rural deans." (See *Church Reform*, by Archdeacon Berens, Chap. VI. p. 119.)

At the solicitation of Archdeacon Goddard³, Bishop Kaye revived the office within the archdeaconry of Lincoln a few years ago (A.D. MDCCCXXXIX.), and it appears to have worked well. Indeed, we have the evidence of the archdeacon himself to the

(¹) Dr. Goddard visited, *parochially*, four hundred, out of five hundred and sixteen parish churches in the archdeaconry of Lincoln.

(²) According to the *diocesan returns from England and Wales for the year MDCCCXXXI.*, it appears that there are no less than *one hundred and ninety-two* clergymen licensed to non-residence in the diocese of Lincoln, on account of the *want* or *unfitness* of parsonage-houses; and that there are seven dilapidated churches: a greater number than appear in any other diocese, save Norwich—where are *two hundred and eighty-three* non-resident clergy upon the plea stated, and four dilapidated churches.

(³) Had the diocese of Lincoln been *always* presided over by such prelates as Bishop Kaye and Archdeacon Goddard, things would not have been as above represented: such as they are, they are in nowise attributable to these active and energetic rulers, nor to other existing officers; they have arisen in a long series of years, from the utter destitution of parochial visitors.

point of its efficiency, in the preface to his *Charge* (A.D. MDCCCLXXXIII.)—"To the rural Deans," says Dr. Goddard, "whose efficiency during their five years of office vindicates the propriety of the having renewed that appointment within the archdeaconry, I beg to repeat my acknowledgments. Nothing is wanting to render that efficiency complete, but an improvement in the discipline itself."

Since the above was written, I have had the honour of a second letter from Bishop Kaye, in which his lordship informs me, that, in the other archdeaconries (Bedford, Stow, Bucks, Hunts, Leicester), the office has not been revived—"because," the bishop says, "the archdeacons had done so much in their parochial visitations, that its revival, within the jurisdictions enumerated, was rendered unnecessary."

When the office was restored in the archdeaconry of Lincoln, search was made in the registry for a *form of appointment or commission*; but none was found, nor any document whatever relating to the subject. The following *Instrument* (N^o. 9) was drawn up for that occasion.

1. MANDATUM NE CÆMETERIA ECCLESiarUM, PER PECORA, VEL ALITER, MACULARI
TOLERENTUR.

OLIVERUS, &c. Decano Hoyland, &c. Quia in ultimâ visitatione nostrâ detra-
natis Hoyland, inter cætera, quædam reformatione digna audivimus; ut putâ, cæme-
teria ecclesiarum parochialium, per pecora rectorum, vicariorum, capellanorum, et
aliorum, turpiter maculari; sive per defectum clausuræ, sive per quorundam negli-
gentiam, aut aliâs ex proposito; ipsorum etiam locorum sacrorum immunitatem
aliâs multipliciter violari: Nos circa præmissa remedium congruum, debitâ executione,
adhiberi volentes, vobis in virtute obedientiæ) firmiter injungendo mandamus, qua-
tenus, ne præfacta in decanatu vestro, de cætero, tolerentur et fiant, curam pervi-
gilem adhibere curetis; in his temerè excedentes animadversione condignâ canonice
puniendo.

Dat. apud Kyrketon in Hoyland, decimo quinto calendas Julii, anno Domini
millesimo ducesimo nonagesimo primo, et pontificatus nostri duodecimo.

Oughton's *Formular.* Vol. II. p. 291. N^o. CCCXVI.
Regist. Lincoln. Sutton. Mem. fol. 27.

2. INHIBITIO NE IN ECCLESIA VEL CÆMETERIO NEGOTIA EXERCEANTUR SECULARIA;
NECNON MONITIO CONTRA PAROCHIANOS AD CONTRIBUENDUM ERGA REFECTIONEM
SEU CONSTRUCTIONEM CAMPANILIS ECCLESIAE.

OLIVERUS, &c. *Decano de Hoyland, &c.* Cùm mercata teneri diebus Dominicis, ac in ecclesiis et earum domibus secularia exerceri negotia, prohibeant canonice sanctiones; vobis firmitèr injungendo mandamus, quatenùs in ecclesiâ de Malton, et vicinis, per tres dies Dominicos, proximè post præsentium receptionem, intra Divinorum solennia, sub poenâ excommunicationis faciatis solennitèr et publicè inhiberi, ne quis apud Malton, diebus Dominicis mercata tenere, seu in ecclesiâ ejusdem villæ, vel ipsius cœmeterio, secularia negotia exercere, præcipuè redditus laicorum exigendo et colligendo, præsumat; cùm non hujusmodi usibus, sed divino cultui, dies et loca prædicti specialitèr deputentur: In contrarium facientes, censurâ (quâ convenit) vice nostrâ, canonicè compescentes. Ad hæc; cùm sit consonum juri, ut parochiani locorum, ad reparationem seu constructionem ecclesiarum, nolentes contribuere, suâ sponte, ad id per censuram ecclesiasticam, ratione præviâ, compellantur; vobis firmitèr injungendo mandamus, quatenùs parochianos ecclesiæ de Malton ad refectionem seu constructionem campanilis ejusdem ecclesiæ, faciatis contribuere, prout decet: contradicentes et rebelles censurâ hujusmodi canonicè compellentes.

Dat. apud Croyland, secundo nonas Septembris, pontificatûs nostri anno tertio decimo.

Oughton's *Formular.* Vol. II. N°. CCCXVIII.
Regist. Lincoln. Sutton. Mem. fol. 10.

3. ADMONITIO EPISCOPALIS ARCHIDIACONO FACTA, DE SUMPTIBUS *Decano Murali*
ALLOCANDIS.

OLIVERUS, &c. officiali archidiaconi Bedfordiensis, salutem, &c. Hugo, rector ecclesiæ de Edwurth, nobis conquerendo monstravit; Quòd ipsum ad susceptionem officii *Decanatûs de Shefford* compellere nitimini, nihil sibi assignato, in recompensationem suorum sumptuum et laboris; propter quod, ad nostram audientiam (ut asserit) appellavit: Nos verò, inter vos et subditos vestros, pacis tranquillitatem magis nutrire volentes, quàm litem (quæ quandocunque rumpit vinculum charitatis) vobis suadendo mandamus, quatenus præfatos subditos, ad hujusmodi officiorum onera

supportanda, per allectivas exhortationes, inducere studeatis; cùm ea subire, maximè propriis stipendiis, compelli non valeant (ut videtur) inviti.—Valeatis.

Dat. apud vetus templum London, undecimo calendas Decembris, anno Domini millesimo ducentesimo nonagesimo tertio, et pontificatûs nostri anno quarto decimo.

Oughton's Formular. Vol. II. p. 156. N°. CLXXIV.

Regist. Lincoln. Sutton. Mem. fol. 86.

4. ALIA FORMULA MANDATI, NE CÆMETERIA MACULENTUR.

OLIVERUS, &c. Decano Christianitatis Lincolnensis, &c. Cùm cæmeteria nonnulla civitatis Lincolnensis, tum per pecora, cum per ejecta et effusa à domibus circumhabitantium, enormitèr conculcata existant, nos, tantam deturpationem sanctuarii Domini ulteriùs sustinere nolentes, vobis mandamus quatenùs, assumptis vobiscum tam de parochianis locorum, quàm aliis viris fide dignis, contra hujusmodi conculcationem, quid per murationem, quid per aliam clausuram decentem, prospiciatis honestè: contradictores vobis et rebelles in hâc parte, autoritate nostrâ, canonicè compescentes.

Dat. Lincolniz, decimo quinto calendas Aprilis, anno Domini millesimo ducentesimo nonagesimo quarto.

Oughton's Formular. Vol. II. p. 292. N°. CCCXVII.

Regist. Lincoln. Sutton. Mem. fol. 119.

5. INHIBITIO NE SECULARIA JUDICIA IN ECCLESIIS VEL EARUM CÆMETERIIS TENEANTUR.

JOHANNES, &c. de C. et de B. Decanis, &c. Urget nos professionis nostræ debitum et astringit, ut constitutiones canonicas observemus, et à nostris faciamus subditis observari. Cùm igitur ne in ecclesiis, earumve cæmeteriis, secularium judiciorum strepitus habeantur, aut in illis causa aliqua per laicos agitetur, statuta canonica interdicant, nos (juxta inventa in ultimâ visitatione nostrâ, quam super clerum et populum nostræ diocesis exercuimus) interdictum hujusmodi contemni à pluribus nostris subditis, perpendentes, vobis, in virtute obedientiæ committimus et mandamus, quatenùs illud in singulis ecclesiis parochialibus et capellis, per Decanatus

vestros constitutis, tribus diebus Dominicis seu festivis, post præsentium receptionem, intra divinorum solemnia publicè publicari, et observari firmitèr faciatis: in contrarium facientes, per censuram ecclesiasticam, canonicè compe-scendo.

Dat. apud Lidington, tertio idus Januarii, anno Domini millesimo trecentesimo nono.

Oughton's *Formular.* Vol. II. p. 293. N°. CCCXX.

Regist. Lincoln. Dalderby Mem. fol. 145.

6. ALIA INHIBITIO NE MERCATA TENEANTUR, SEU NE QUIS NEGOTIATIONES EXERCEAT IN ECCLESIA, SEU CEMETERIO.

JOHANNES, permissione Divinâ Lincolniensis episcopus, dilecto in Christo filio Decano Northamptoniensi, salutem, &c. Ad nostrum nuper pervenit auditum, quòd quidam iniquitatis filii in ecclesiâ omnium sanctorum Northamptoniensi, et ipsius cœmeterio, mercata faciant et negotiationes exercent, tam diebus feriatis quàm non feriatis, de domo Dei speluncam latronum, et domum diaboli, taliter facientes; cum in hujusmodi contractibus se adinvicem decipiant, vel intendant decipere, contra-hentes; nullatenus advertentes qualiter Dominus, in tantum abhorret in templo negotiationum commercia exerceri, quòd vendentes de templo ejicere voluit et ementes: Quocirca vobis (in virtute obedientiæ) firmitèr injungendo mandamus, quatenus in dictâ ecclesiâ tribus diebus Dominicis, seu festivis, intra Divinorum solennia, inhibere curetis in genere et publicè (sicut decet) sub pœnâ excommunicationis majoris, ne quis de quibusvis rebus venalibus in ipsâ ecclesiâ, vel cœmeterio, mercatum teneat; nec ullam prorsus negotiationem exercere præsumat; ne ibi detur peccandi occasio, aut deprehendantur peccata committi, ubi peccatorum est venia postulanda: contra eosque qui inhibitionum vestrarum hujusmodi inventi fuerint contemptores talitèr procedatis, eorum insolentias compe-scendo, quòd punitæ transgressionis exemplar alios consimilibus retrahat ab offensis: hujusmodique inhibitionem, cum facta fuerit in ecclesiâ antedictâ, in aliis ecclesiis vestri *Detanatus* vicinis (de quibus videbitur expedire) faciatis, cum solemnitate quâ convenit, temporibus congruis publicari.

Dat. apud parcum Stowæ, quinto calendas Januarii, consecrationis nostræ anno quinto decimo.

Oughton's *Formular.* Vol. II. p. 293. N°. CCCXIX.

Regist. Lincoln. Dalderby Mem. fol. 281.

7. COMMISSIO AD AUDIENDUM RATIOCINIA DE REDITIBUS ARCHIDIACONATÛS VACANTIS.

HENRICUS, &c. dilecto in Christo filio magistro Johanni de Wottesden, rectori ecclesiæ de Cortenhale, nostræ diœcesis, salutem, gratiam et benedictionem. *Ad audiendum* ratiocinia administrationis magistri Willielmi Legat, rectoris ecclesiæ de Burton, nostræ diœcesis prædictæ, nuper officialis archidiaconi Northamtoniensis defuncti, et omnium et singulorum decanorum archidiaconatûs Northamtoniensis, et omnium aliorum archidiaconi prædicti ministrorum in fructibus, redditibus, proveni-tibus, et perquisitis quibuscunque quos à die parasceves proximo præterito (quo die dictus archidiaconus diem suum clausit supremum) receperunt; et qui ratione vaca-tionis archidiaconatûs ejusdem, ad nos pertinent, de consuetudine approbatâ; necnon eosdem magistrum Willielmum, decanos ac alios ministros prædictos, ad satisfacien-dum nobis de fructibus, redditibus, et proventibus, et perquisitis prædictis, per quas-cunque censuras ecclesiasticas, in eventu, canonicè compellendum; et cætera faciendum quæ in præmissis requiruntur agenda; vobis vices nostras committimus, cum coertionis canonicæ potestate.

Dat. apud Eboracum, tertio idus Maii, anno Domini millesimo trecentesimo tri-cesimo quinto, et consecrationis nostræ quinto decimo.

Oughton's *Formular*. Vol. II. p. 141. N°. CLIII.
Regist. Lincoln. Burgh. Mem. sub Tit. Mem. fol. 290.

8. WARRANT FOR COMPILING A VALOR BENEFICIORUM BY Rural Deans AND Chapters.

EODEM anno (MCCLIV.) *Dominus Papa* ad instantiam *regis Angliæ* concessit eidem decimam totius ecclesiæ Anglicanæ per triennium percipiendam, exceptis ordine *Cysterciensi* et *Hospitaliorum* et *Templariorum*, et licèt diversas literas sigi-latim antea diversis super hoc demandasset, tandèm tamen eisdem revocatis et non obstantibus, *W. episcopo Norwicensi* hoc præcisè demandavit exequendum. Idem autem episcopus, licèt invitatus, mandato hujusmodi obtemperans, per totum regnum in singulis capitulîs cujuscunque diœcesis fecit decanum et tres rectores vel vicarios qui fuerint majoris auctoritatis, pro suâ voluntate jurare sub formâ in ejusdem literis contentâ subsequenti:—

Litteræ Episcopi Norwicensis Executoriæ.

WALTERUS, permissione Divinâ *Norwicensis episcopus*, negotiî Crucis executor à sede apostolicâ deputatus, discretis viris *Decano Christianitatis de Lafford*, et juratis de capitulo, salutem in *Domino*. Cùm nupèr convocatis vobis et aliis de *Decanatu* vestro viris fide dignis, sacramentum à vobis receperimus, quòd prout vobis inferius injungetur, justas æstimationes omnium ecclesiasticorum beneficiorum fidelitèr inquireretis; vobis, in virtute obedientiæ quâ sedi apostolicæ tenemini, et sub religione sacramenti ac poenâ perjurii, injungimus, quatenùs tam à vestris conscientiiis propriis, quàm rectoribus, vicariis, et aliis quibuscunque personis magis videretis expedire, plenius inquiratis veritatem, quæ sit justa æstimatio omnium proventuum ecclesiasticorum tam majorum quàm minorum, cujuscunque sint exemtorum vel non exemtorum, in *Decanatu* vestro existentium, et quæ æstimatio decimarum separatarum, videlicèt si quas decimas, pensiones, vel alios proventus percipiant et habeant in parochiis rectorum ecclesiarum, jure speciali, sive aliquis nomine eorum eas teneat. Prædictas siquidè justas æstimationes in scriptis fidelitèr sub poenâ antedictâ, redigatis, et per litteram patentem signis vestris signatam nobis habere faciatis, ad terminum et locum vobis infra præfigendos. Bona autem religiosorum, quæ non pertinent ad ecclesias eis appropriatas, nec sunt decimæ separatæ, per ipsos religiosos taxabuntur, si abbatia, vel cella, seu prioratus, ad quos hujusmodi bona pertinent, in vestro fuerint *Decanatu*. Si verò in vestro *Decanatu* non existant, bona ipsorum per vos taxabuntur, et eorum taxationem nobis dilucidè et apertè in scriptis habere faciatis. Damus siquidem vobis omnibus et singulis plenam potestatem compellendi ad jurandum omnes et singulos de *Decanatu* vestro, pro veritate vobis in hâc parte manifestandâ, prout melius videritis expedire: contradictores et rebelles, si quos in officio vestro inveneritis, per interdicti aut excommunicationis sententias, nostrâ freti auctoritate, compescendo. Consulimus insuper ad vestram salutem et communem liberationem, quòd in taxationibus faciendis sic diligentes ac veraces sollicitudine et facto vos habeatis, non obstantibus aliquibus taxationibus præhabitis, ne ex post facto vestra alii facta et dicta scrutantes, vos inveniant à viâ veritatis manifestè declinasse, et in sententiam excommunicationis incidisse, quæ per sedem apostolicam in omnes illos qui scientèr in dictâ decimâ subtrahendâ, vel non solvendâ, fraudem commiserint, promulgari demandatur. Volumus etiam, si justum vobis visum fuerit, quòd unusquisque cujus ecclesia tenetur ad firmam, juxta quantitatem firmæ quam recipit, respondeat de decimâ, dum suâ voluntate et communi pactione ipsa firma durabit. Hoc siquidem officium vobis in remissione peccatorum injungimus, concedentes vobis auctoritate sedis apostolicæ, ut relaxationis indultæ omnibus terræ sanctæ subvenientibus par-

ticipes efficiamini in *Domino*. Prædictas autem æstimationes in scriptis fidelitèr redactas nobis vel certo nuncio nostro sigillis vestris signatas tali die apud *Lichfeld* habere faciatis¹.

Annales Monasterii Burtonensis ab anno MIV. ad annum MCCLXIII.

Rerum Anglicarum Scriptorum Veterum, Tom. i. p. 334, 335.

Oxonæ, MDCLXXXIV.

9. APPOINTMENT OF RURAL DEAN OF THE DIOCESE OF LINCOLN,
BY BISHOP KAYE, A.D. MDCCCXXIX.

JOHN, by Divine permission, Bishop of Lincoln, To our well-beloved and reverend brother *A.B.* clerk, rector of *C.*, in the county and archdeaconry of *D.* and diocese of Lincoln, greeting—

Whereas we have thought fit to revive, in our archdeaconry of Lincoln, the ancient office of rural dean, in order that by persons of the best ability and integrity, in each of the ecclesiastical divisions called *deantries*, both we and our archdeacon of Lincoln may the more regularly and fully be informed of the state of such portion of our diocese—We therefore constitute and appoint you, by these presents, to be a rural dean for the parishes mentioned in the margin of this present instrument, during our pleasure, requiring of you punctuality, care, diligence, and accuracy, in inquiring, observing, and reporting to us, or to our archdeacon aforesaid, all things relating to

(¹) See also the same annals of the year MCCLV. — *Rostandi Litteræ de negotio Crucis*, (pp. 351—354.) and the Articles of Instruction to the *Deans rurali*, with their four jurates in chapter assembled, there given in full. The two closing items are worth transcription :—the others do not very materially differ from those already transcribed :—

Item, Decanus, cum prædicatores mittantur ad prædicandum, eisdem assistat, et eis auxilium et consilium impendat opportunum.

Item, Decanus in singulis capitulis et ecclesiis parochialibus exponi faciat frequenter indulgentias cruce signatis a domino Papæ indulgas, videlicet idem privilegium et easdem immunitates quæ concessa sunt eis qui in terram sanctam efficax in bonis vel personis impenderint auxilium. (p. 355.)

That a '*tumultus lacrymosus*' should arise among the clergy, in the words of the annalist, under such exactions as are above detailed, is not surprising; nor can we wonder that the proctors of the archdeaconry of Lincoln were commissioned, in the name of the whole body of benefited clergy, to present a remonstrance; of which one clause was, that *Rostandus*, the papal official, '*committit vires suas Decanis et aliis, cum adhuc non constet de suâ jurisdictione.*' (p. 356.)

the churches, chancels, churchyards, and to the glebe-houses of non-resident incumbents, and their fences and enclosures. And in order that you may be prepared to make the said reports to us intelligently, and upon sure grounds, we do especially desire, charge, and empower you, on our behalf, as does also our archdeacon, whose signature is subjoined, to visit personally, once in the year at least, every church, chapel, chancel, church and chapel-yard, glebe-house, and glebe of non-resident incumbents, and their fences and boundaries; and to leave in writing, attested by your seal and signature, an order at each place visited, in the hands of the church- or chapel-warden (who is to have previous notice of your visit and to be in attendance), signifying the repairs and restorations which agreeably to the annual Articles of Inquiry and to the law, shall by you be found wanting. And we further charge you to require, within a time to be by you specified, a return of the repairs ordered having been effected; such repairs to be certified by the minister or churchwarden. You are also to report all undue disposal of the church-property in the hands of churchwardens; and to require that in every parish a distinct churchwardens' book be kept, and in it an entry made of all the moveable church-property entrusted to the care of those officers. Lastly, we require you to give diligent heed to all such notices, directions, and admonitions, concerning the premises, as we or our archdeacon of Lincoln shall forward to you; which will very much assist us in the discharge of our duties.

Given under our hand and seal, this twenty-fourth day of June, in the year of our Lord One thousand eight hundred and twenty-nine, and of our Translation the third.

SECT. XVIII.—Diocese of Llandaff.

THE diocese of Llandaff comprises three-fourths of the county of Glamorgan, and all Monmouthshire, excepting seven or eight parishes belonging to Hereford and Saint David's¹. *Dean's* rural are of modern introduction into the diocese. They

(¹) A list of the rural *Dean's*, with their subdivisions, and the number of the parishes contained in each, has been supplied by the bishop of Llandaff:—

GLAMORGANSHIRE— <i>Dean's</i> OF LLANDAFF.			PARISHES.
1. Upper <i>Dean's</i> —Southern Division	.	.	18
2. Northern Division	.	.	10
3. Lower <i>Dean's</i> —Eastern Division	.	.	9
4. Western Division	.	.	9

Dean's

are not recorded in the *Ecclesiastical Valors*, nor in the *CC. M. B. et H.* of Wilkins.

Bishop Marsh says, that he “revived the ancient order of rural deans” here during his incumbency (*A.D.* MDCCCXVI.—MDCCCXIX.)—which looks as if it had existed at an earlier date. It was continued by Bishop Van Mildert (*A.D.* MDCCCXIX.—MDCCCXXVI.); and by Bishop Sumner (*A.D.* MDCCCXXVI.—MDCCCXXVII.); and is still supported by Bishop Copleston (*A.D.* MDCCCXXV.).

During the short period that Bishop Sumner occupied the see of Llandaff, rural deans appear to have been in the full exercise of their useful functions. They are addressed by his lordship, in his primary charge in MDCCCXXVII., in the following words:—“The appointment of rural deans has been attended, in its degree, with similar good effects;” (his lordship had been speaking of the improved condition of ecclesiastical buildings, owing to the ability and zeal of the chancellor) “and I take this opportunity of stating, that those individuals who have kindly consented to sacrifice a portion of their time in this service, will render me essential assistance, by transmitting, on or before the first of January in every year, a detailed report of the state of the churches, glebe-houses, and glebe-lands under their superintendence. I hope I am not expecting too much in requiring this annual survey from them, considering the value of the information I shall thus obtain, and the expence which may be saved eventually to the parishes and to incumbents by a little timely and

Deanry of GLOUCESTER OR COWBRIDGE.		PARISHES.
5. Upper Deanry—Eastern Division		10
6. Western Division		7
7. Lower Deanry—Eastern Division		10
8. Western Division		10
MONMOUTHSHIRE.		
9. Deanry of Newport		16
10. Deanry of Netherwent or Chepstow—Eastern Division . .		10
11. Middle Division		11
12. Western Division		14
13. Deanry of Usk—Eastern Division		12
14. Western Division		17
15. Deanry of Abergavenny—Eastern Division		9
16. North-Western Division		13
17. South-Western Division		9

The *Church Commission* of MDCCCXXV. proposes to unite this diocese to that of Bristol.—*See Bristol Documents.*

judicious repair. 'Let me also call their attention to the necessity of restraining churchwardens, or others, from making alterations without the sanction of the ordinary. In all cases, except those of mere repair and restoration, the plan of any proposed change, interior or exterior, should be submitted to him, and receive his approval, before it is carried into execution. Had due attention been paid to this rule, some of those deformities would never have been permitted to exist, which now disfigure the regularity or obstruct the convenience of too many of our churches throughout the country. If, through inadvertence, the parishes most contiguous to the residence of the rural Deans have, in some instances, not been assigned to them, I shall be ready to consult their wishes, by making any change which circumstances appear to render desirable."

SECT. XIX.—Diocese of Norwich.

THE diocese of Norwich contains the entire counties of Norfolk (except one parish, which belongs to the see of Ely), and Suffolk (except four parishes), and sixteen churches and chapels in Cambridgeshire¹. It is distributed into four archdeaconries; viz. Norwich, Norfolk, Suffolk, and Sudbury. Under the first are contained the *deanries* of Norwich, Blofield, Breckles, Brisley, Flegg, Holt, Ingworth, Lynne, Sparham, Taverham, Thetford, Tostres, and Walsingham. Norfolk archdeaconry comprises Brooke, Burnham, Cranwich, Depwade, Fincham, Hingham, Hitcham, Humbleyard, Redenhall, Repps, Rockland, and Waxham. Suffolk contains the *deanries* of Bosmere, Carlesford, Cleydon, Colneys, Dunwich, Ipswich, Hoxon, Loose, Lothingland, Orford, Sampford, Southelmham, Waynford, and Wilford. Sudbury includes Blackbourne, Clare, Fordham, Hartismere, Stow, Sudbury, Thedwaster, and Thingoe.

Within this extensive diocese there are, at present, no rural Deans²; but it is suggested, by Mr. Kitson (*Ecclesiastical Courts' Report*, MDCCCXXXII. p. 222), that the exercise of archidiaconal authority might be rendered more easy and effectual by their appointment in the larger archdeaconries, and particularly in those of the

(¹) The Editor ventures to call the attention of his brother rural Deans to this valuable hint of Bishop Sumner's, as worthy of all commendation.

(²) It is proposed by the *Church Commission* of MDCCCXXXV., that the diocese of Norwich shall consist of the counties of Norfolk and Suffolk, with certain exceptions mentioned under *Ely Documents*.

county of Norfolk—the local situation of which is inconvenient. Still, the authority of the archdeacons is effectively exercised *there*, by regular parochial visitations, at this time; each parish being visited once in three years. Neglect, however, there must have been in times past:—*The Diocesan Returns from England and Wales, for the year MDCCCXXXI.*, present us with no less than two hundred and eighty-three clergymen of this diocese, who are non-resident on their cures, *on account of the want or unfitness of parsonage-houses*; and with four *dilapidated churches*:—which assuredly indicates neglect of parochial visitation in past days, however regularly that useful branch of discipline may be supported by existing functionaries.

The constitution of the *decanal* office was heretofore in this diocese of a peculiar character, and certainly of great antiquity. The rural *deans* appear to have been forty-five in number, at their full zenith;—twelve belonging to the archdeaconry of Norwich, twelve to that of Norfolk, thirteen to that of Suffolk, and eight to that of Sudbury. All of them were *collated* by the bishop, and enjoyed their *decanates* for their natural lives. The institution-books of the see do not begin early, though the bishopric was founded *A.D. MCVI.* The *deans* rural commenced about *A.D. MCLXXV.*, and continued till about *A.D. MDXL.*—when “they all came into the bishop’s hands,” according to the Historian of Norfolk; and “their jurisdiction into the archdeacon’s,” to whom they had been previously subject. Numerous notices of them occur in Wilkins’s Collection of the *Councils*, copied into our previous pages, (the earliest there mentioned being in the episcopate of Walter de Suthfeld, *A.D. MCCLV.—CC. M. B. et H. Vol. 1. p. 708*): and distinct lists of the successive *deans* of each deanry in the county of Norfolk are found in Mr. Blomfield’s *History*. See *¶. 2. 2. Part III. Sect. III. p. 147. notes.*

Those in existence at the time at which the *Valor* of Henry VIII. was compiled, are mentioned in that document.

Dioc’. Norwic.’ Com.’ Norff’.

Valor Eccles.

Decanatus de Thetford Will’m’s Mobbys	Decanus <i>ib’m.</i>	Vol. III. p. 309.
..... de Rochland Ric’us Wright	Decanus <i>ib’m.</i>	p. 316.
..... de Hyngham Joh’nes Hynde	Decanus <i>ib’m.</i>	p. 322.
..... de Brysley Will’m’s Aleyn	Decanus <i>ib’m.</i>	p. 328.
..... de Cranewyse Robert’ Shylling	Decan’. <i>ib’m.</i>	p. 332.
..... de Breccles Thomas Garon	Decan’. <i>ib’m.</i>	p. 337.
..... de Burnham Alano Tilney	Decano <i>ib’m.</i>	p. 369.
..... de Hycham Joh’e Ruste	Decano <i>ib’m.</i>	p. 374.

Dic.' Norwic.' Com.' Norff'.

Valor. Eccles.

- Decanatus de Fyncham** Thoma Oxburgh decano *ib'm. val'.*
per ann. xiiis. iiijd. xa. inde xvid. Vol. III. p. 376.
 **de Tostres** Will'mo Aleyn decan'. *ib'm. val'. p annū*
iiis. iiijd. xa. inde iiijd. *ib.*
 **de Walsyngham** Rob'to Wadylove decan'. *ib'm. val'.*
p annū xiiis. iiijd. xa. inde xvid. p. 385.
 **de Lynne** Henrico Teale *et* Ric'o Barnard decan'.
ib'm. val'. xxvis. viiid. xa. ijs. viiid. p. 390.

The number of parishes under the respective deans was various. One in Norfolk had thirty-five churches subject to him; while another had only twenty-two. The *decanatus* were most of them *taxed*, and paid *procurations* and *synodals*; and were considered as good preferments as churches, with which they were conveniently tenable.

It appears that "the rural deans had the probate of all wills, when the deceased had no moveables but in their deanry only. When the deceased had moveables in two deantries and in the same archdeaconry, the probates belonged to the archdeacon. And, when the deceased had goods in two archdeaconries, the probates belonged to the bishop;—who had likewise the probate of the wills of all noblemen, gentlemen bearing arms, and the whole clergy."

The Dean of the city of Norwich (whose seal is engraven with others in our earlier pages) seems to have been "no inconsiderable person;" for "he had ecclesiastical jurisdiction over all the churches in the city (fifty-eight, in Edward the Third's time), and in the county of the city, viz. the suburbs—saving only eight or nine under the peculiar jurisdiction of the prior and convent. He had a right also to halliday tolls; which was, a penny customarily paid by every baker, butcher, and fishmonger, that sold their commodities on holydays and Sundays:—also for every great boat that came up to the city on a holyday, *1d.*, and for every small boat a halfpenny; and for every horse-load a halfpenny. This deanry, instituted *A.D. mcccxi.*, was united to the contiguous one of Taverham, *A.D. mcccxxix.*, in perpetuity: and the last collation to the two was *A.D. mdcxix.* It paid no Peter-pence to the Pope."

About *A.D. mdlxxx.*, Bishop Freak suggested the revival of these officers, in a paper sent by his chancellor to a diocesan synod; "recommending rural deans or superintendents," says the annalist of the Reformation, "to inspect and take care of the diocese under the bishop; and particularly for providing monthly *prophesyings*,

(if it might be permitted), or sermons, in the several *deantries*, to be preached. At which the respective rural *deans* to be present, and, to prevent schisms and factions, to be moderators. And thereat likewise various businesses, respecting the abuses of bishops' courts and their offices, and inspection into the behaviour of the clergy and laity in each parish, to be transacted. It bore this title, *A form of government exhibited by the Chancellor of Norwich.*" See the document following (N^o. 2); and Strype's *Annals of the Reformation*, Vol. II. Part II. anno MDLXXX. pp. 382. 695.

It is probable that this proposal of Freak's was acted upon; or, at least, that *deans* rural were re-instated upon some new footing, their elder constitution having been abrogated forty years before. For we are told by Dr. Prideaux, (*Directions to Churchwardens*, 9th edit. p. 179), "they continued here, and made their annual presentations at diocesan synods till the Rebellion A.D. MDCLII." "On the Restoration of King Charles II. the keeping of these synods, as also the appointing of rural *deans*, were, by Bishop Reynolds (a presbyterian in principle, though then promoted to this see) both let down, to the great damage of the church in this diocese, and have never since been revived in it; and perchance now, after so long a disusage, it would be in vain to attempt it, especially in our present circumstances."

"Bishop Lloyd went so far in his primary visitation, as to name rural *deans* in every *deanry* of the diocese; but found such opposition to it, both from the perverseness of some persons who thought themselves concerned in interest to oppose it, as well as from the ill-temper of the times, which we were then fallen into, that he was forced to let all drop, and proceed no further; and so it must rest till a more favourable juncture shall arise for the setting of all right again that hath gone wrong among us. For it is to be hoped, that there is in the lap of Providence an appointed time yet to come, when, through God's mercy towards us, discipline may be thoroughly revived in this church, and Christian religion again restored to its primitive purity in it; although, through the ill-disposition of the present times, it may justly be feared, that without a long purifying in the furnace of affliction there will be no attaining thereto. I pray God grant the end, whatsoever may be the means, whereby we are to be brought to it."

1. PRECEPT TO THE RURAL DEAN OF HECHAM, IN THE DIOCESE OF NORWICH,
FROM THE COMMISSIONERS OF HENRY VIII.

DIOC' NORWIC'.

Metanatus DE HECHAM. COM' NORF'.

ROGER TOUNESHEND Knyght Thomas Lestraunge Knyght Xpofor Jenney
ſjeaunt at the lawe William Conyngesby & John Mynne Auditour Comiffions of
our ſoveigne Lord the King in the Countie of Norfolk amonge other assigned by
vertue of the Kinge Comiffion under his grete ſeall for the valuacion of the true &
juſte yerli values of all & ſingler poſſeſſions maners londꝝ teitꝝ hereditamentꝝ &
other pfitꝝ aſwell ſpꝛuall as temporall appteynyng or belonging unto evy maner of
dignite monaſteri priory churchꝝ collegiat churchꝝ conventuall pſonage vicarage
chauntery freechapel or other dignite office or pmocion ſpꝛuall aſwell in placys
exempt as not exempt within the ſeid Countie. To John Ruſte Dean of the Deantrie
of Hecham Send Greeting willing & comaunding you on the behalve of our ſeid
ſoveyn Lord that ye with all ſpede & diligence all excuses & delayes ſett apart
ymmediatli upon the ſight of this our pcept doo give monicion & warning unto all
& evy pſon vicar chanteri preeſt aſwell admortised as not admortised maſters of
hospitals & freechapels aſwell in places exempt as not exempt within your ſeid
Deantrie that thei & evy of them ymmediatly upon yo' monicion & warnyng ſo to
them even doo make & cauſe to be made in writing a true clere diſtincte pꝛiculer &
ſeꝛvall yerli values of all & ſingler maners londꝝ teitꝝ glebes demeans rentꝝ poſſeſ-
ſions tiſhes oblacions porcions penſions & all other pfitꝝ aſwell ſpꝛuall as temporall
in eny wiſe belongyng or appteynyng to evy ſuche pſonage vicarage hospital
chauntery or freechapell in eny place within this Realme of England or eny other
the Kinge Domynyons deducting yerly oute of the ſame theiſ deduccions onli fol-
lowing & non other that is to ſay the Rentꝝ reſolute to the cheif Lorde of the fee
& other annuell & ppetuell rentꝝ & chargys which evy ſuche pſon vicar chauntery
preeſt maſter of hospitalls & freechapells is or be bounden to pay to eny pſon or
pſons to their heires or ſuccessours forev or to give yerli in almes by reaſon of eny
fundacion or other ordinaunce thereof heretofore made and alſo all yerly fees for the
Steward Receivo' Bailif Auditour with ſinages & pꝛies And they & evy of them to
certifye the ſame yerli values & deduccions in writing ſo made unto us in their own
pꝛens at ſuche day tyme & place as we ſhall ſhortely hereafter furthermore pfixe

unto them within oon dayes warnyng And also that ye doo certifye unto us the namys of all & singler suche psonys vicars chauntery preestz masters of hospitals & freechapels as ye shall so admonishe & gife warnyng unto in that behalf Thus to doo at the Towne of Litill Walsingham the Monday next after Dñica in albis next comyng by nyne of the clok in the forenoon of the same day with this our pcept to you directed And that ye fail not thus to doo as ye will therfore answeere to our seid soʋeyn lord at your further perell in that behalf Yeven under our Seallys the xxiiijth day of March in the xxjth yere of the reigne of our seid soʋeyn Lord King Henry the eight.

Indorsed Johes Ruste { *Detanus Detanat' de Hich^m in Archidecon* } xx^e.
Norff^e annui valor

ROGER TOWNESHEND Knyght Thomas Lestrangle Knyght Xpofer Jenney
sejaunt at the lawe Wyllm Conyngesby & John Myne Auditor commysseions of
our Soʋaygne Lorde the Kyng in the Countie of Norff^e amonge other assigned by
vtrue of the Kyngz Commyssion under his greet seall for the valuacon of the true &
just yerly values of all & singler possessyons mañs loudz tenēz hereditamentz & other
pfitte as well temporall as spūall appteynynge oʳ belongynge unto evy man of dig-
nyte monasty pryory church collegiatt church conventuall psonage vicarage chan-
ty freechapell or other dignyte office or pmocon spūall as well in placz exempt as nott
exempt wⁱⁿ the seid County. To John Rust *Beau* of the *Beautie* of Hecham
Sende Gretynge willynge & commawndynge you on the behalf of our seide
Soʋaynge Lorde that thou w^t all spede & dilygens all excuses & besynes & delays
sett apte immediatly upon the sight of this our pcept do gife monycon & warnyng
unto all & evy pson vycare chan-ty preest as well admortised as not admortised
maisters of hospitalls & free chapels as well in placz exempt as nott exempt wⁱⁿ thy
saide *Beautie* that they & evy of theym upon monicon & warnyng nowe by youe
to be geven unto theym beyng seʋally w^t evy of theym in writynge the distynct
seʋall & ptycler yerly values of all ther psonage vycarage & other spūall possessyons
& temporall pfitte accordynge unto the pport & effect of the last pcept & comawnde-
ment to theym nowe of late geven by us the seide Commyssyons on the behalf of
our seid Soʋaying Lorde & that they & evy of theym appere at
Burnh^m Westgat the Wednesday next after Lowe Sondaye And that yee
. the under Constabillz & also the Church wardens of

evy of the Townes wⁱⁿ our seid Sov^ainge Lord
 that they & evy of theym psonally app Geven the
 thirde daye of Apriell in the xxvjth yere

Valor. Eccles. Tempore Regis Henrici Octavi.

From the Augmentation Office, Vol. vi. p. i.

2. A FORM OF GOVERNMENT BY Rural Deans, or Superintendents; EXHIBITED BY
 THE CHANCELLOR OF NORWICH, FROM THE BISHOP.

THE strength of God's enemies being grown so universal; and their spreading so dangerous to the state; and licentious looseness of life through corruption of ecclesiastical officers so untamed; that it is time that ecclesiastical government be put in due and severe execution, without affection and corruption, according to the wholesome laws, provided and established in that behalf.

And for that the bishop is counted in the law the pastor of the whole diocess, in consideration thereof that antient father cryeth out; *Væ mihi: non essem de numero damnatorum, si non essem de numero prælatorum.* And therefore bound to have a special knowledge of every particular man of his diocess, as near as possibly he may. And he must devise and practise the most certain and ready way, to set before his eyes, as it were in one view, the true estate and platform, and every several part thereof.

To which end, since it appears by antient records in the bishop's office, for these three hundred years, that certain choise, picked men were appointed and authorized in every several deanry, called in law *Decani rurales*; and in the bishop's canons, *superintendentes*; that is, some preachers, resident in the deanry, orderly, grave, learned, discrete, and zelous: it is necessary to renew and revive that antient, commendable practice.

Whereby the commissaries and officials, to the great ease of the country, and avoiding excessive charges, may be enjoined to keep their circuits; and once a year, or twice at the most; whereto law restraineth them.

In whose visitation, what selling of the peoples sins, without any regard or consideration of duty at all; what unfiling of verdicts for mony; what manifold corruptions and briberies are used by abuse of registers; all the whole country, with detestation, seeth. And thereupon most men, by the abuse, do utterly contemne all ecclesiastical government.

Whereas the Dean rural or superintendent, (if *prophesie* may continue,) to prophesy; if not, to a sermon every month, may call the ministry and questmen. And then and there inquire of all disorders. And to compound and reform the lesser, and certify to the bishop the greater.

Which superintendent shall make faithful, careful, and diligent enquiry, not only of every minister in the Deanry, but also of every man of account; which may either be profitable or dangerous to the state, in their several parishes. And exhibit their names, according to every several Deanry, in a fair long parchment scrole, to the bishop, or his chancellor; to remain with them, or either of them: giving advertisement from time to time, of their amendment, or waxing worse and worse. Whereby the bishop shall be able to cut off any mischief, as it first springeth forth; and be a most notable instrument of advertising and preserving the estate. Besides, by the authority resident, and as it were overwatching the behaviour of the neighbours round about, all smaller, usual offences, as swearing, drunkenness, leud, lascivious talk, and such other enormities, which are as it were entrances into the more grievous and enormous sins, may be restrained and punished. Which now are jesting matters, of small account.

The better countenance and assistance of which Deans rural, such justices of the peace as are zealous in religion, and favourers of the gospel and state, are to be moved and required, to help and fortify their lawful proceedings: to be present at their solemn assemblies and preachings; to their better encouragement, and the good example of the common sort.

And whereas there hath been a solemn order of long time commonly observed, that every Sunday a publick sermon hath been used and frequented in the Greenyard in Norwich; it were very convenient, that these superintendents, having open warning of their days appointed at the synod, should, as it were in course be called, to supply that place: not onely to testify to all the world, and to make manifest to the enemies of the truth, the uniformity and consent in religion; but also to confer with the bishop, and his chancellor, touching the several scrolls of every Deanry, exhibited, as before; to impart unto them of the amendment of the former abuses certified. And to take both order and courage to procede in the same or other accordingly.

And whereas now the usual synods are gathered together only, as a briday, to set and spend their mony, (the synod-mony not commonly received then, but committed over to the registers at their pleasure otherwise,) these superintendents, whom the law termeth *testes synodales*, assembling and meeting there, and having countenance of the bishop or chancellor, setting openly, as their assistants, if any slothful or disorderly

minister, or other person whatsoever, after his often private or public admonitions, should not amend and conform himself, he might there be rebuked, or suspended, before all the clergy of the diocess, and the whole congregation there assembled; to his speedy amendment, and the example and terror of others. Where also the bishop or his chancellor, being advertised by conference with them of all disorders, might give present order for redress. And for the undoubted fears of maintaining schismes and factions in *prophesyings*, if they were established, or preachings otherwise, these *superintendents*, being conformable men, are to be appointed moderators of the exercise.

And whereas law hath plainly forbidden, that process out of the court should be awarded to be served by the adverse party, or any of his assignment, whereof we see by daily experience the inconveniency; for that the adversary, keeping the process by him, will await such time and business of the party, that he cannot appear, and often such slender returns are made as bear no credit: it were greatly to the furtherance of justice and indifferent dealing, all process should be directed to the *superintendents* in their several *deantries*, by their officers to be executed, and returned authentically according to law. Whereby the subject shall have no cause of grief; and justice better may be executed.

If it be objected, that the usual courts of *archdeacons* should hereby be abridged: nay, the lawful authority of archdeacons shall be renewed and established; and their unlawful usurping, to the great charges and trouble of the country, restrained; and law duely exercised without corruption. Beside, that this office of *superintendent* is presumed by common law to be joyntly at the bishops and the archdeacons appointment, unless the custome and prerogative of the bishop be otherwise. Which is to be proved by continuance above three hundred years, by antient record, without interruption, only to appertain to the bishop of Norwich. Whereby the archdeacon's right is shut out, in appointing himself joynt with the bishop: howsoever he be in law a common officer of both.

And whereas *probates* of wills, and granting of administration, as matter of civil law, are therefore committed to the queen's disposition and jurisdiction; for that the law presumeth the bishop, for his profession, to be a man of that conscience; and for his wisdom a man of that policy and care, most tenderly to provide for the state of widows and orphans; their parents and husbands so deceased: the corruption of the officers hath been such, and the greediness of registers so intolerable, that men of these countries, presuming for a little mony thereupon, have not feared, either to suppress the testators true will, making him dy intestate; or to alter and forge his

will after his decease. For that the officers, one greedily snatching before another, without due examination or consideration of the circumstances, either unawares, or wittingly, through corruption, prove these wills by a proctor. Whereby the party deemes himself to have taken no oath: and therefore may do what he list, as most free. For remedy whereof these *superintendents* might do great service to us, if any should dy within their *deanry*, to send for the minister, or some of the parish, to examine the truth of the will without alteration; or the occasion of his dying intestate.

Which all might be very well done at their assembly at *prophesies*, or preaching every month or fortnight. Whereby all those which otherwise of devotion would not peradventure frequent those exercises, might upon occasion of necessary busines do it. Then the *superintendents*, upon tryal and knowledge, taking the parties oath, to forth it to the officers, there to be proved accordingly. This one service of the *superintendents* would staye infinite suites.

And whereas the strength and comfort of God's people consisteth in mutual love, peace, and amity, how many wrangling suites of defamation, tiths, and other causes, shall his wisdom and discretion cut off, before they rise, even at home; for the perfect knowledge he may quickly, or must already needs have of his neighbours causes.

If it be objected, that the archdeacons may prove wills, (although by common law they cannot,) yet let them set down what by prescription or composition they may truly chalenge: and let every man have his own. Or let order be set down, what value the commissary or official shall or may prove. And let them enjoy the same. But in the mean season let not that frivolous delay hinder the course of ecclesiastical discipline: which all good men groan for; and without the which speedily put, and wisely and strongly, in execution, the enemy will even swallow up the state.

And whereas the lewdness of *apparitors*, scouring of the countries; following their masters trade and exercise; some have been detected of forty marks bribery in half a quarter of a year, in half a *deanry*; the *superintendent* shall cause some honest, religious, quick person, to whom he shall upon his credit commit those things he shall be put in trust with. Who attending every consistory day upon the court, may certify and return all processes; and advertise of all abuses needing reformation.

And if the making of ministers be according to the late canon ordered, as well for their competent sufficiency, as public ordering upon due and severe examination of half a dozen of such incorrupt persons, as the bishop shall name, with a testimonial of their allowance, subscribed and delivered to the bishop under their hands: and

further, for such as be, upon presentation, made by their patrons, instituted to any benefice, one day in the week, and one time appointed, when and where they come to be examined: and then and there, in presence of the bishop or chancellor, with four, five, or six others, orderly appointed, and requested to take pains therein: that as well the parties sufficiency, thorowly sifted and known; and consideration of the greatness of his charge, the quantity of his living, and the necessity of the time, and the party likewise; to pass their allowance subscribed under their own hand. Which exhibited to the bishop, the bishop then to set to his hand of allowance. And not otherwise to pass the chancellor; to whom the institution by my lord bishops graunt appertaineth.

I do not see, but the minister thus sifted, before his entrance into the ministry, or taking any benefice, and by watchful oversights of superintendents, urged to usual speaking at the exercises, and restrained by admonitions, and other censures ecclesiastical, from their loose, loitering, or gredy, covetous life; the preaching of the gospel, and other usual exercises of religion so frequented; but the word of God would flourish, the enemy be daunted, who could not lurk in any corner; and her majesty have an assured, safe, and quiet government; my lord bishop in part perform his great charge; and his officers enjoy the true comfort of performing their duty to the uttermost of their power. And that which is worth all the world, the number of the elect appear more and more, by the means of preaching, the ordinary and effectual means of their vocation. But this must be done without revocation—and it must be ready to be put in execution before it be known to the enemy.

Strype's Annals, Vol. II. Part II. p. 695. last Edit.

SECT. XX.—Diocese of Oxford.

THE diocese of Oxford, comprising the entire county of Oxford, formed part of the see of Lincoln, until the year MDXLI.; when it was erected into a separate bishoprick by King Henry VIII. It consists of one archdeaconry, within which are the rural deantries of Aston, Burcester, Chipping-Norton, Cuddesden, Deddington, Dorchester, Henley, Oxford, Whitney, and Woodstock.¹

(¹) It is proposed by the *Church Commission* (A.D. MDCCCXXXV.) that the diocese of Oxford shall be increased, by the addition of the county of Buckingham, from the diocese of Lincoln, and of Berkshire from that of Salisbury.

Bishop Secker, in his *Fifth Charge* to the Clergy of Oxford, notices “the antiquity of the useful institution of rural Deans, its continuance from before the Conquest till the great rebellion, and its restoration afterwards in several dioceses, and particularly in this of Oxford by the admirable Bishop Fell.” See *Secker’s Charges*, p. 185.

I cannot carry back the Deanal history of this diocese beyond the days of the latter prelate; whose method it was, according to White Kennett, to ordain rural Deans, by oral declaration, at his times of visitation. “The last so nominated” by this “excellent judge of men and merits,” “in the Deanry of Burcester, was Mr. Samuel Blackwell, B. D. then vicar of that church; who (as an exemplary supervisor of the clergy, and a diligent assertor of the rights of the church) had been duly qualified for the office, if it had continued in all the dignity and authority of its primitive institution.” See *Mss. Addenda, Parochial Antiquities*, Vol. II. pp. 358, 370.

In the interval between Bishops Fell and Secker, the office, probably, was dormant, or the latter prelate had referred to its uninterrupted exercise, as an argument for its continuation in his own days:—instead of which, he merely says, “I should be glad, with your approbation, to set it up once more amongst us, in such form as might be most beneficial and satisfactory: but contented at present with hinting the matter, I leave and recommend it to your serious thoughts.” See *Secker’s Fifth Charge*, A.D. MDCCCLIII. *Charges*, p. 186.

Bishop Secker was soon afterwards translated to the archiepiscopal see of Canterbury; and, it may be, never matured the appointment adverted to. But of this I speak diffidently, having received no communication whatever from Oxford on the subject of my inquiry, save the following form of commission from the Rev. Charles Burlton, Fellow of New College. It is the instrument now used in the appointment of Deans rural by Bishop Bagot, who revived the office four years ago.

To the circumstance of this revival the bishop alludes, in his *Charge addressed to the clergy of the diocese at his second visitation*, August MDCCCXXIV., in the following words:—“And here let me seize the natural opportunity of expressing the obligations, both of the clergy in general, and of myself in particular, to the rural Deans of this diocese.

“When I last addressed you, the restoration of that office was only in contemplation. We have now the satisfaction of observing it in actual operation; of seeing how materially it is calculated to increase the usefulness and efficiency of the establishment; and of bearing testimony to the highly beneficial results which have arisen from its re-institution.

“To the present holders of the office in their respective Deanries, high praise is

due; and in your name, my reverend brethren, and my own, I beg to tender them our sincere and united thanks, for their zealous discharge of their duties, for the ready attention they have paid to our various communications, and to the sound judgment and amiable spirit with which their functions have been administered." P. 16.

The rural *deans* of this diocese constitute, with the archdeacon, the committee of management of the *Oxford Diocesan Society in aid of Queen Anne's Bounty for the Augmentation of the Maintenance of Incumbents of small Benefices*. They also undertake to act as the Oxford Diocesan Local Board to the *Clergy Mutual Assurance Society*.

A list of the rural *deans* is given in that excellent periodical, the *British Magazine* for September MDCCCXXXII. (Vol. II. p. 84.)

APPOINTMENT OF *Dean Rural* IN THE DIOCESE OF OXFORD, BY BISHOP BAGOT,
A.D. MDCCCXXXI.

RICHARD, by Divine permission, Bishop of Oxford, To our well-beloved and reverend brother, J. B. clerk, M.A., rector of N. C., in the *Deanry* of C., in the county and diocese of Oxford, greeting—

Whereas, we have thought fit, upon mature consideration, to revive the ancient use of rural *deans*, that we may be fully informed, at all times, of the state of our whole diocese—We therefore constitute and appoint you by these presents to be a rural *Dean* of the *Deanry* of C. And we require your fidelity and diligence in observing, inquiring into, and annually or oftener reporting to us, or our archdeacon, as the case may require, all such things, within the said *Deanry*, as it may be proper for us, and useful for the diocese, that we should know; particularly respecting the condition of the churches, chancels, and churchyards, the preservation of the parish registers, the state of the glebe-houses, glebe-lands, and all things thereunto belonging, to the intent that we may take such measures as the circumstances of the respective cases, and the general welfare of the diocese, may seem to require. And whereas it is expedient that we should have certain information of the vacancy of benefices within our diocese, we hereby require you, as soon as the avoidance of any living within your *Deanry* shall have come to your knowledge, to notify the same to us; and, further, we desire you to see that the churchwardens of such vacant parish make suitable provision for the service of the church until the induction of the new incumbent.

And we doubt not, but believe, that you will readily and willingly use all diligence in the before-mentioned matters, and such other matters and things as may appear to promote the general well-being of the diocese, although the same are not expressly mentioned in this our Commission.

Given under our hand and episcopal seal, the sixth day of July, in the year of our Lord One thousand eight hundred and thirty-one, and of our consecration the third.

SECT. XXI.—Diocese of Peterborough.

THE diocese of Peterborough was created by King Henry VIII., being taken from the see of Lincoln. It contains the counties of Northampton and Rutland, excepting three parishes in each; and constitutes one archdeaconry—within which are the rural deantries of Brackley, Daventry, Haddon, Higham Ferrers, Northampton, Oundle, Peterborough, Preston, Rothwell, Welden, Alstow, East, Oakham-Soke, Rutland *aliàs* Martinsley, and Wrungdike.¹

Bishop Marsh “revived the ancient order of rural deans” within this diocese in the year MDCCCXX.—being induced to do so for the reasons so clearly and satisfactorily alleged in pp. 16, *seqq.* of his *Charge delivered at the visitation in July MDCCCXXIII.* My readers, I am sure, will be glad to have these reasons laid before them, in the learned prelate’s own words, and his interesting account of the complete success which attended the labours of the newly-restored parochial visitors.

“If a bishop thinks it expedient, he may visit parochially, and examine in person the several churches of his diocese. But it is more usual, and generally more adviseable, to delegate the office to others. At present, the visitations of bishops are synodal; they assemble their clergy at stated places once in three years; and in the other two years, synodal visitations are holden by their archdeacons. Beside the synodal visitations of the archdeacon, the duty of parochial visitation, which in the early ages of the church was performed by the bishop, became gradually transferred to the archdeacon, or archdeacons, of the diocese. But if a diocese, containing nearly four hundred parishes, has only one archdeacon, the business of parochial

(¹) The *Church Commission Report* of MDCCCXXV. suggests that the diocese of Peterborough shall consist of the counties of Northampton, Rutland, and Leicester; the last county being added to it from the present diocese of Lincoln.

visitation is no less difficult for the archdeacon, than it is for the bishop. A personal inspection of all the churches, chancels, and glebe-houses, throughout this diocese, if conducted with minute attention to the state of soundness and decay, in the various materials of the respective buildings, to the condition of the sacred utensils and vestments, to existing abuses, or neglects on the part of those to whom the care of such things is entrusted, could not be duly performed by one person in the course of a whole year. And when, after all that employment of time and attention, the deficiencies have been discovered, which are too often observable, when a parochial visitation is holden for the first time, there still remains the important duty of seeing that the defects are duly remedied. For this purpose, a second, and even a third parochial visitation may be required. And how can a service be in this manner repeated, when even the first performance of it, if duly executed, would be attended with so much difficulty and inconvenience?

“For these reasons I have revived in this diocese, as I did in the diocese of Llandaff, the ancient order of rural Deans. And I take the first public opportunity, which has presented itself, since my primary visitation, of explaining the motives which have led to the appointment of rural Deans in this diocese. I am anxious to guard against an inference, which might otherwise be drawn from it. The appointment of rural Deans implies no previous neglect of duty. I have reason to be thankful for the uniform support which I have received from the archdeacon of this diocese. I have only relieved him from a trust, which, from its very *magnitude*, requires more exertion, than can be expected from any one man, however active and laborious.

“Even the division of the diocese into *Deanries*, if only *one* Dean had been appointed to each *Deanry*, would not have afforded sufficient advantages for the purpose of parochial visitation. Though the limits therefore of the ancient *Deanries* have been retained, the *Deanries* themselves have been divided into two, three, or four parts, according to their magnitude; and a rural Dean has been appointed for each division. Without transgressing the limits of the *Deanries*, it was impossible to assign an equal number of parishes to every division. But, in general, they vary only from ten to fifteen. The divisions and the appointments have likewise been so arranged, that the rural Deans, though they amount to twenty-six throughout the diocese, reside each of them *within* the division to which they are appointed. The parishes, therefore, which are subjected to their inspection, are all within an easy distance from their own homes.

“Having described the plan, I will now relate the beneficial effects, which have resulted from it. In the first place, a mass of information has been obtained

respecting the state of the diocese, such as never could have been obtained by any other means. The answers of the rural deans, in the schedule of queries proposed to them, describe the state of the churches, with particular reference to the walls, the roof, the pavement, the windows and doors, the pulpit and desk, the font, the pews, the bells, and the various articles, which are necessary for Divine Service. They observe, whether the churches receive any injury, from the want of proper ventilation, from accumulations of earth on the outside, or from improper modes of carrying off the water from the roof. By attention to these objects, the necessity of repairs is frequently prevented. The same attention is paid to the state of the chancels. The condition of the churchyards, the condition of the glebe-houses, the preservation of the parish register, the state of the parochial schools, have likewise been carefully examined. The reports therefore of the rural deans have afforded to the bishop a knowledge of his diocese, for which he cannot be sufficiently thankful. But, important as their services would have been, had they merely supplied authentic records on the state of the diocese, their services have been extended much further. The reports to the bishop have been subordinate to the general plan of amelioration, which has been carried into effect through the instrumentality of the rural deans. I should greatly exceed the limits of this charge, if I described the very numerous improvements, which have been made in the churches of this diocese since the time of my primary visitation. But, in returning thanks to the rural deans, I must not omit to make my acknowledgment to the parochial clergy in general, who have received the rural deans with uniform kindness, and have not only aided them with the best advice, but have cheerfully assisted by their personal attentions. Nor must I neglect to express my approbation of the laudable conduct, which has been generally displayed, both by the churchwardens and the parishioners in the several deantries, even where the reparation of the churches has been attended with considerable expence."

A report having reached me, that deans rural had ceased to act in their most useful capacity of parochial visitors within the diocese of Peterborough, in consequence of some doubts being raised as to the bishop's power of constituting them, to which the opinion of the lawyers was said to be unfavourable, I was induced to apply to Bishop Marsh for more positive information on that point. His lordship obligingly replies (*Feb. 24, MDCCLXXXIV.*), that rural deans still continue to exist, though not in such a state of activity as they were on their first appointment. Having obtained almost all the information which he wanted, he has not urged them to further exertions: still, they occasionally make such returns as exigencies may require. He is not aware of any objection having been made, or any objection being possible to

the appointment itself. He has never attempted to give them any jurisdiction like that exercised by an archdeacon; nor were they ever authorised, in his diocese, to inquire into the conduct of the clergy. They were appointed, as stated above, to inquire and report on the state of churches, chancels, churchyards, and glebe-houses. These are matters on which a bishop has a right to *require* information; and therefore no one can have a right to object to such inquiries being made. In the execution of the office, the only difficulty which has ever occurred has been in the visitation of glebe-houses. Some few clergymen (but a *very* few) have considered such a visit from the rural dean as an intrusion on their privacy: but they would have viewed, perhaps, in the same light an *official* visit from the bishop or the archdeacon.

SECT. XXII.—Diocese of Rochester.

THE diocese of Rochester is considered the most ancient in England, excepting Canterbury. It contains a small part of the county of Kent, the parish of Iselham in Cambridgeshire, and Freckenham in the county of Suffolk.¹ In this comparatively small diocese, no traces appear of *deans* rural having ever existed: nor is it the intention of Bishop Murray to institute them. With the aid of his archdeacon, who annually holds a parochial visitation, the bishop informs me, he is made sufficiently well acquainted with the condition of his diocese, and has no necessity for the introduction of other helpmates in the administration of its discipline. It contains the *rural deanries* of Dartford, Malling, Rochester, Shoreham (peculiar of Canterbury), and Fordham.

SECT. XXIII.—Diocese of Saint Asaph.

THE diocese of Saint Asaph comprises all Flintshire, except five churches, which belong to Chester; all Denbighshire, except one *deanry*, which belongs to Bangor, and three chapelries belonging to Chester and Lichfield. It has also nearly half

(¹) By the *Ecclesiastical Commission* (A.D. MDCCCXXXV.), it is proposed that the diocese of Rochester shall consist of the city and *deanry* of Rochester; of the county of Essex (excepting those parishes which will remain in the diocese of London); and of the whole county of Hertford. See *London Documents*.

Merionethshire, three parishes in Carnarvonshire, thirty-seven in Montgomeryshire, and eleven churches and chapels in Shropshire. The archdeaconry of Saint Asaph is divided into the following rural deantries; viz. Tegengle, Moulde, Poole and Carenion, Kydewen, Keviliock, Mowthwy, Penllyn and Idernion, Rhos, Bromfield and Yale, and Marchia.

In the *Appendix* to Mr. Wharton's *Historia de Episcopis Assavensibus &c.* (pp. 378—381) there is an epistle of Archbishop Peckham, addressed to Anian bishop of Saint Asaph, on the discipline of his church and diocese; from which it appears that deans rural were employed, as supervisors of the clergy of Saint Asaph, in the year MCCLXXXIV.—correcting them for uncanonical attire, and errors of life and conversation; and receiving procurations of rectors and vicars at the time of visitation. From that date there is no notice of their existence. Wilkins affords no later tidings of them, in any church-document of this see. They were not in being when the *Valor Ecclesiasticus* Henrici VIII. was compiled.

The office, however, now obtains—whether first revived by Bishop Carey, or by his more immediate predecessors, I am uninformed. There are, at present, eight rural deans; who receive their appointment from the bishop; but no particular form or instrument is used on the occasion. The *British Magazine* for Sept. MDCCCXXXIV. (p. 357) bears testimony to the utility of the office, as a part of the machinery of a diocesan society for promoting the building and enlargement of churches and chapels within the diocese of Saint Asaph.

SECT. XXIV.—*Diocese of Saint David's.*

THE diocese of Saint David's contains the entire counties of Pembroke, Cardigan, Carmarthen, and Brecknock, and all Radnorshire, except six parishes belonging to Hereford. It has also about a fourth part of Glamorganshire; eleven churches and chapels in the county of Hereford, two in Montgomery, and three in Monmouth.¹ It is divided into four archdeaconries; viz. Saint David's, Brecon, Carmarthen, and Cardigan; which are again sub-divided into numerous rural deantries: of which

(¹) The *Church Commission* of MDCCCXXXV. proposes that the diocese of Saint David's shall consist of the present diocese, except those parts which are to be transferred to the dioceses of Saint Asaph and Llandaff—for which see *Bristol Documents*.

Saint David's contains Pebidiawke, Dongledie, Rouse, and Pembroke: Brecon contains Brecon—first, second, and third parts; Hay—two parts, Buelte, Melineth, and Elwell: Carmarthen contains Carmarthen, Kidwelly, Landilo and Llan-Gadog, and Gower: and Cardigan contains Emlyn, Kemmes, Sub Ayron, and Ultra Ayron.

There is no notice of *Deans rural* in this diocese, either in Wilkins's *Concilia* or in the *Ecclesiastical Valors* of the thirteenth and sixteenth centuries. Nor have I any *ancient* authorities to adduce in illustration of their history in this part of the Principality.

The modern constitution of the office, as I am at present advised, is much the same here as in the following diocese of Salisbury; the appointment being vested in the bishop, *personally* and *exclusively*, and held *durante beneplacito*. The modern *Commission*, under the episcopal seal and signature, Bishop Jenkinson informs me, sets forth, in a brief, comprehensive manner, the duties of the charge; but there are no *Letters of Instruction*, nor *Articles of Inquiry*, in present use. I have not been able to procure a copy of the *Commission*.

During the many years that Bishop Burgess¹ occupied the see of Saint David's, *Deans rural* were efficiently ministerial to his lordship as parochial visitors: in which capacity they were furnished with *Articles of Inquiry*² to the fullest extent. And if any particular inquisition³ was, at any time, required to be set on foot in the rural districts, the *Deans* alone were employed upon it;—the archdeacons being mere dignitaries, exercising no jurisdiction, holding no visitations, and possessing no privileges, beyond the titles of their respective offices, and the estates annexed to them⁴.

(¹) Τὸν μακαριώτατον ἐπίσκοπον παρ' ἡμῶν, ἐκείναις ἐξόχως πίστει καὶ τῇ λατῇ ἀρετῇ διακρίβαντα. S. Basil. *Epist.* LXX.

(²) The same *Articles of Inquiry* were circulated by Bishop Burgess for the use of the *Deans* of Saint David's, during his occupation of that see, as are now employed by him in the diocese of Sarum. They will be found under the documents of the latter see.

(³) We are told by Mr. Marriott, that it was the custom of Bishop Burgess, and is still the custom of Bishop Jenkinson, in case of receiving any information against clergymen, first to employ the rural *Deans* to inquire and report whether they think there is sufficient cause for a Commission; and if so, to appoint one. See *Ecclesiastical Courts' Report*, MCCCXXXII. Mr. Marriott's *Evidence*, p. 251.

(⁴) The libraries established for the use of the parochial clergy, in each *Deanry* of the diocese, by the *Religious and Literary Association for the Promotion of Christian Knowledge and Church Union*, are subject to the direction of the rural *Dean*. See Bishop Burgess's *Tracts on the Origin and Independence of the British Church*, p. 150.

SECT. XXV.—Diocese of Salisbury.

THE diocese of Salisbury contains the whole county of Wilts (excepting two parishes), all Berkshire (excepting one parish and part of another), together with several parishes in Dorsetshire.¹ It is divided into three archdeaconries; viz. Sarum, Wilts, and Berks. The first consists of the rural deantries of Amesbury, Chalke, Potterne, Wilton, and Wylke; the second, of those of Avebury, Cricklade, Malmesbury, and Marlborough; and the third, of Abingdon, Newbury, Reading, and Walsingham. *Deans rural* were of early institution in this diocese. There is evidence of their appointment in the thirteenth century.

In the year MCCXIX., the *decanus loci* is mentioned by Bishop Richard Poore (the first prelate of New Sarum, and brother of Bishop Herbert, the last of Old Sarum), in a letter addressed to the archdeacons of Dorset, Berks, Sarum, and Wilts, recommending these officers to interfere in behalf of certain hospitallers, for whom an eleemosynary collection was to be raised from the clergy, and committed to the care of their *nuncio*, or the *dean rural*, under the title of *decanus loci*. (See *Vetus Registr. S. Osmundi*, fol. 117. *Transcript*. fol. 357.)

Again—about the year MCCXXII., not long before his translation to Durham, the same prelate drew up a *Code* of eighty-seven *Constitutions* for the regulation of his see;—of which² the last but one, as reported by Collier (*Eccles. Hist.* B. v. p. 440), notices *deans rural* as *then* existing in the diocese. Their appointment and displacement is ordered to be “by common consent of the bishop and archdeacons”—in compliance, I suppose, with the Lateran *rescript* then lately received in England. They are also mentioned in several other canons of the same *Code*, published by Wilkins; viz. in those “*De reditu ad religionem*”—“*De receptione secundæ bene-*

(¹) The *Church Commissioners' First Report* (A.D. MDCCCXXXV.) proposes that the county of Berks shall be severed off from the diocese of Sarum, and transferred to Oxford; and that the whole county of Dorset shall be re-annexed to Sarum.

(²) On referring to the original *Mss. Register*, or rather its accurate transcript, kindly entrusted to my hands by Bishop Burgess, in aidance of these humble researches, I find the *Constitution* in question standing about the middle of the code, in these words:—“*De canonicis etiam rurales de communi consensu Domini episcopi et archidiaconorum instituantur et destituantur.*” (*Vetus Registr. Sancti Osmundi*, fol. 126. lxiii. verso.)

fici”—“*Quòd omnes clerici beneficiati habeant prædictas constitutiones.*”—
(*CC. M. B. et H.* Vol. i. pp. 600–1.)

Again—in Bishop Giles Bridport’s *Constitutions* (*A.D.* M^CCLVI.), cited in our earlier pages, it is enjoined, in a canon expressly bearing on the institution of *Deans rural*, that, when fit persons have been elected by the archdeacons to the office, they are to be presented to the bishop and his successors “*ad sacramentum corporale præstandum.*” It is also specially ordered in the same code, that neither archdeacons nor rural *deans* be guilty of exactions and impositions upon the clergy—(*CC. M. B. et H.* Vol. i. p. 715–16.) From this date we lose sight of *Deans rural* in the diocese, altogether, for more than two centuries and a half.

Between the days of Bishop Ægidius (who died *A.D.* M^CCLXII.), and the date at which the *Valor Ecclesiasticus* of Henry VIII. was compiled, *viz.* *A.D.* MDXXXV. (when either Cardinal Campegio or Bishop Shaxton presided over the see of Sarum) no evidence can be adduced of their existence. At the latter date, however, they re-appear in one of the archdeaconries, *viz.* that of Dorset, then a part of the diocese of Sarum—(See *Bristol Documents*). But they do not seem to have been generally revived at that time, in the other archdeaconries. In Berkshire, none are mentioned; and in Wiltshire only two, *viz.* in the rural *deantries* of Pottern and Marlborough; in both of which, the dignities were profitless—as appears from the following entries—“*Decanatus de Pottern. decano ib’m val. p annū . . . n’.*”—“*Decanatus de Marleburgh. decano ib’m val. p annū . . . n’.*” See *Valor Eccles.* Vol. II. pp. 140—147.

With the separation of the county of Dorset from the diocese of Sarum, we again lose sight of the institution. For one hundred and thirty years there is no trace of it in the parent see;—none, that is, till the episcopate of Seth Ward, who was installed in the year MDCLXVI., and shortly after revived the ancient use of rural *deans* in the archdeaconries of Sarum, Wilts, and Berks.

Mr. Boucher, the late registrar of the diocese, is inclined to doubt whether this commission of the *Deans rural* was ever put in execution by the eminent disciplinarian adverted to:—“The excellent and charitable Bishop Ward,” he observes, in a letter lately received, “took an active part in the exercise of his episcopal functions in the diocese of Sarum (*A.D.* MDCLXVI.—MDCLXXXVIII.), as he had previously done in that of Exeter, and certainly appointed rural *Deans*; and, at the same time, issued his mandate for the visitation of his cathedral church, *viz.* of the canons, vicars-choral, and other officers of the church, and of certain hospitals, which had formerly taken

place septennially. But it appears, from the records of the chapter, that the latter mandate exceeded his lordship's authority, and was in part recalled. And, as there is no evidence of any return having been made by the rural deans, which the registers would have shewn if such had been the case, it is supposed, with some reason, that their commission was not put in execution."

Highly as I estimate the general accuracy of my much-respected informant upon all matters connected with the office which he so long and so ably filled, I cannot go with him to this conclusion. There, doubtless, exist no returns by the functionaries alluded to, in the archives of the registry-office: and so far Mr. Boucher is right. But, in my humble opinion, the inference he draws, from the non-appearance of any such returns, is incorrect. It must not be inferred from the absence of such documents that the officers never acted under their commission: we know that they did so act: and if there were no direct evidence of the fact, I should still doubt the rural-decanal institution, in the hands of such a prelate as Seth Ward, turning out a failure. I should doubt his attempting (with his eyes open to the constitution of the office *in general*, and in his own diocese *in particular*), an appointment, which he had not power to consummate to any useful purpose.

In his *MS.* Common-place book are incorporated the *Tables* of Dr. Cosin's *Politeia*, with occasional alterations; wherein, under the head of officers "*habentes administrationem judicalem*," are placed "*decani rurales—archipresbyteri*"—whose duties are briefly stated from Cosin in these words: "*Convocant clerum; significant per literas ab ordinario; inducunt in beneficia, archidiacono in remotis agente.*" (See *Notitia Sethi Episcopi Sarum, Transcript.* fol. 63.) Upon which view of the dependence of deans rural upon the bishop *alone*, as ordinary, Seth Ward instituted them, disregarding altogether the ancient diocesan *constitutions* of Richard Poore, though well aware of their imperative enactments. Indeed, he could not have been otherwise than acquainted with them; for, in the above-cited *Notitia*, amongst much heterogeneous matter, is a section headed—" *Notata quædam ex registris episcoporum. Sarum. Item, nonnulla ex registris DC. aliisque per Seth Sarum;*"—wherein are transcribed the very words of Poore's statute, "*Decani rurales de communi consensu domini episcopi et archidiaconorum instituuntur et destituuntur.* Stat. Ricardi Poor. MCCXXII. *inter alia* vide Lib. Stat. 114. b. *ex Veteri Registro in manu Decani*, ib. 113." See *Notitia*, fol. 116—119.

Still, acquainted, as he fully was, with the limitation set upon the episcopal power in reference to rural-decanal appointments, by the papal *rescript* of Innocent III.,

enrolled by Bishop Poore in his diocesan Code, Bishop Ward, upon the strength of *general usage*, in the earlier days of the institution (See *Prædicatorum Rurales* Part III. Sect. 1.), alone and by himself, appointed *deans rural* throughout the arch-deaconries of Sarum, Wilts, and Berks, commissioned them with full powers of parochial inquiry, under the obligation of an oath, and, whenever a vacancy occurred by decease or removal, instituted others to succeed. So that, during the whole period of his occupancy of the see, the *rural decanates* were constantly filled with efficient functionaries. This, assuredly, does not look like a merely tentative, and eventually abortive, procedure. Why should the good prelate continue to renew, again and again, a fruitless and uncanonical institution, from which he could expect to receive no assistance, and from which, in fact, he must have been conscious he was receiving none, in the administration of his diocese?

But, in truth, *deans rural* were ministerial to the bishop, upon the evidence of authentic documents, in the year MDCLXX. (See *Notitia Sethi Episc. Sarum*, fol. 367.) I allude to the *Brief for the Redemption of Captives from the Turks*, dated Aug. 10. MDCLXX.—Abp. C.'s *Letter*, Sept. 8. whereupon Bishop Ward issued "*mandates* to all parsons, vicars, curates, to bring in to *deans*, before Nov. 20, MDCLXX., monies collected, duplicates of accounts; complaints of failures, *si fuerint*. *Deans rural* of Wiltshire to bring to Dr. Richard Drake in Close, money, duplicates acc. complaints, *si &c.* before Dec. 1, MDCLXX. Berks, *similitèr* to Dr. Peter Mewes *D.* or assignee."

A farther proof of the actual employment of *deans rural* by the same prelate exists in the "*Brief Account of the Nature, Use, and End of the Office of Dean Rural*," drawn up for the information of the clergy of his *deanry*, by Dr. John Prialux, one of the *rural deans* appointed by Seth Ward, soon after his installation.

The autograph of this curious document came into my possession immediately after my own appointment (*A.D.* MDCCCXXVII.), by the present bishop of Salisbury, to the *rural decanate* over which Dr. Prialux had presided in the days of Bishop Ward: within the precincts of which jurisdiction, in the parish church of Berwick Saint John, amidst the registers of the dead and living, the *Ms.* was discovered by an antiquarian friend, and consigned to my hands¹.

(¹) The autograph sheet I have caused to be carefully inclosed in boards, and deposited in the muniment-room at the palace of Sarum—annexing to it a copy of the printed edition which I published three years ago.

During about twenty years of Ward's episcopacy, I believe the office was efficiently kept up; and its duties performed by the under-mentioned clergymen.

(*Ex Notitiis Sethi Episcopi Sarum*, fol. 201, seqq. *Tabula Beneficiorum*, &c.)

Archidiaconatus Sarum.

Decanatus Pottern	. . Peter Priaulx, 1681,	Melksham.
	Henr. Johnson,	St. Mary Devizes.
..... Wyly	Joh. Stephens, 1675,	Wyly.
	Wm. Hobbs,	Sherington.
	Tho. Lambert, 1670,	Boyton— <i>loco</i> Doctoris Hobbs.
..... Wilton . . .	Richard Kent,	Fisherton Anger.
. Chalke . . .	John Priaulx,	Barwick St: John, resigned D.M. 1671.
	Joseph Martyn,	Compton Chamberlein.
..... Amesbury .	Joh. Carter,	Winterslow.

Archidiaconatus Wilton.

Decanatus Marleburgh	Tho. Clerke,	Manningford Abb ^e .
..... Cricklade . .	Tim. Dewel,	Lydiard Tregoze.
..... Malmesbury,	Joh. Scamler, 1682,	Crudwell.
	Rob. Davenant, 1668,	Dantsey— <i>released</i> MDCLXXI.
..... Avebury . .	Hen. Kinnemond,	Alcannings.

Archidiaconatus Berks.

Decanatus Reading	. . Tho. Tuer,	St. Laurence, Reading— <i>died</i> 1771.
	Wm. Lloyd, 1771,	St. Mary, Reading.
	Abr. Brookbank, 1777,	St. Mary, Reading.
..... Abingdon .	Wm. Pusey,	Pusey.
..... Wallingford,	Zaccheus Breedon,	South Morton.
..... Newbery . .	Joh. Hinton,	Newbery.

The *Table of Instructions*, whereby these Deans rural acted, is preserved in the same valuable document—*The Common-place Book of Seth Ward, fol. 339.*

1. *Officium Decanor. Rur. ad quod Juramento astringendi.*

To

1. *View, infra Decanatum*

Churches.	} semel in 6. m. saltè in anno. Present decays to Bp̃ or Chancellr̃.
Chancels.	
Chapels.	
Houses.	
{ Parsonage { Vicarage	
Hospitals.	Alms. h. Church. h.
Free Schooles	}

2. *Observe*

Parsons. Vicars. Curats.

Conversation.

Performance of duty.

Conformity to laws.

Diligence in

Reading Service.

Administering Sacraments.

Preaching.

Catechising.

Preparing for Confirmation.

And to acquaint the Bp̃ if amiss.

Marryeing &c.

Churchwardens perform duty

Schole Masters

Teaching	} Scholars.
Catechising	

Bringing to Church on

{ Sundays.
{ Holydays.

3. *Examine*

Differences

and compose or delate to Bp̃.

Reports of scandalous offences

contra Leges Eccl.

4. *Execute, or cause to be,*

Mandates

Orders sent

Immediate ab Episcopo.

mediate Archidiacono.

5. *Acquaint Bishop if any*

Conventicles¹.

Disorders.

Md. Hospitals

Terriars

Reg̃rs {	Xc̃
	Mař.
	Buř.

(¹) Dr. Walter Pope relates, in his *Life of Bishop Seth Ward* (Chap. x.), that the good prelate was very active in suppressing conventicles, and thereby much angered the Sectarians. And Calamy bears witness, in his *Account of the ejected or silenced Ministers in the County of Wills*, (*Berwick Saint John's:—Mr. Compton South*), that "Bishop Ward was for severity towards all of his stamp without exception." *Baxter's Abridgment* &c. Vol. II. p. 761. Edit. 8vo. MDCCXIII.

2. A BRIEF ACCOUNT OF THE NATURE, USE, AND END OF THE OFFICE OF **Rural**,
 ADDRESSED TO THE CLERGY OF THE **Deanery** OF CHALKE, IN THE ARCHDEACONRY
 OF SARUM, DURING THE EPISCOPATE OF DR. SETH WARD, BISHOP OF SALISBURY, BY
 JOHN PRIAULX, D.D.¹ **Rural Dean** OF CHALKE; WITH NOTES BY THE EDITOR.

IT having pleas'd the R^t. R^d. Father in God, Seth L^d. Bishop of this diocese, to

(¹) John Priaulx, D.D. vicar of North Newton, rector of Berwick Saint John, and Fovant, in the county of Wilts; rural Dean of Chalke; and subsequently canon residentiary, and archdeacon of Sarum, is thus noticed, in connexion with one of his many benefices, by the author of *Magna Britannia*.

"Fovant is famous for its minister, Dr. John Priaulx, who, though he accepted of this living in the times of the Commonwealth of England, and was in the commission for ejecting ignorant and scandalous ministers and schoolmasters; yet never discovering any forwardness in complying with the powers in being, or the designs then on foot, he was, upon King Charles II.'s Restoration, received as a friend of the monarchy and church, and accordingly preferred; for he was soon after made a prebendary of *Netherbury in Terra*, in the church of *Salisbury*; and being esteemed an excellent divine, was offered the King's Professorship of Divinity at *Oxford*, upon the promotion of Dr. Sanderson to the see of *Lincoln*; but he modestly refused it, and contented himself with the archdeaconry of *Salisbury*, which he held to his death, which happened in that city, June MDCLXXIV., and was buried in the cathedral church there. He hath only one sermon in print, entitled '*Confirmation confirmed, and recommended from Scripture, Antiquity, and Reason*;' preached at the visitation of Dr. Humphrey Hinchman, then bishop of *Salisbury*, in the cathedral there, in MDCLXII."—(*Wiltshire* vi. *The Hundred of Cawden and Cadworth*, p. 71.)

There is a monument to the memory of Dr. Priaulx on the south wall of the nave of Salisbury Cathedral, bearing this inscription:—

Varia Eruditionis,
Virtutis eximia,
Ingens juxta conditur Thesaurus,
Dñus Johannes Priaulx, S.T.P. Southamptonia natus,
Oxonii educatus,
Magnum utriusque Ornamentum;
Linguarum, Artium, Scientiarum,
Peritissimus.
Humanioris } Literarum Cultor,
Divinioris } Divinis celebrandus,
Cum paucis
Qui
Cum } Canonicatum } Residentia,
Archidiaconatum Sarum } Vigilantia,
Multum adornasset,
Subita correptus Morte
Animam Deo reddidit,
Pridie Nonas Junii,
Anno Domini MDCLXXIV.
Ætatis sue LX.
Laborum suorum Fructum
Percepturus,
 Εν τη αποκαλυψει του Κυριου.

Beneath,

comitt to my care and inspection the rurall Deanerie of Chalke¹; I have thought fitt, not onlie to signifie to you (my Reverend Brethren) his Lo^{ps}. pleasure therein, but also to give you a brief account of y^e nature, use and end of this office; w^{ch} will appear to have bin instituted for more weighty reasons then some, perhaps, doe imagine. And this not out of anie designe to promote an opinion of my own worthines (who am the meanest of all those who have preceded me in that place) but out of a inf^t ground I have to beleeeve, that this season is not improper for vigorous prosecuting the wise and pious sanctions of former ages; and likewise for the hopes I have conceived, that all of us will be thereby fullie sensible of o^r. dutie, in concurring to the practise of such things, as doe most evidentialie tend to the honour of Almighty God, y^e salvation of o^r. own soules, and of theirs who are comitted to o^r. charge.

Be pleas'd therefore to know, that y^e office of a bishop being not onlie the most eminent for honour, but the greatest for burden in the church of Christ (of w^{ch} the manie passages of Scripture that concern that function, as well as the canons of antient councils, and y^e sayings and exemples of y^e fathers doe informe us²) it was thought fullie necessarie, that some part of the burden should be taken off from the bishops, and plac't in the care and managerie of such, whom the church thought fittest to be intrusted therewth. Which practise, both for y^e necessitie, reasonablenes and lawfullnes thereof, is grounded upon severall precedents in the word of God:— as appeares by w^t Moses did in conferring part of y^e burden of civill governm^t on

Beneath, on a grave-stone, is the following:—

Quod reliquum est
Dñi Joannis Priaulx, S. T. P.
Lector abi, lavam consule, plura feres.

The reader will find some farther account of Dr. Priaulx in Wood's *Fasti Oxonienses*, by Bliss, Part II. p. 241.

It is worthy of remark, that the second line ("*virtutis eximia*") of the above inscription is omitted in all published records of the monuments of Salisbury Cathedral.

(¹) Bishop Seth Ward succeeded Bishop Hyde in the see of Salisbury, *A.D.* MDCLXVI.—died *A.D.* MDCLXXXVIII.

(²) See particularly the *Epistles to Timothy and Titus*, which, as Bishop Burnet justly observes, (*Pastoral Care*, c. III.) are the foundation of all the canons of the church; Rabani Mauri *de Institut. Clericorum*, L. I. c. v. *de ordine tritarpito episcoporum*, C.D.E.; Albini Flacci Alcuini, *lib. de Divinis Officiis*, Episcopi Officium; Bevereg. *Annot. in Can. Apost.* I. II.; *Synodic.* Tom. II. pp. 9, seqq. in *v. isienores et passim*; Suicer. *T. E.* in *v. isienores*, Tom. I. col. 1179. 1184; and Cave's *Primitive Christianity*.

70 of the elders of Israel¹, *Numb.* xi.—by w¹ o^r. Saviour himself did, in adding y^e like number of disciples to his Holie Apostles, allreadie in commission for preaching², *Luke* x.—and also by w¹ was done by the Apostles of o^r. Lord, in transferring y^e office of ministring the πτωχικά³, y^e goods of y^e poore, upon an order instituted for that purpose, whom they therefore call'd deacons, or ministers of the church⁴, *Acts* vi.⁵

After the Apostles' times (to omitt w¹ some learned men have conceived of y^e order of presbyters themselves) the first instance of this partition of things belonging to the episcopall function, I take to have bin made in the Eastern church, in that degree of ministers, w^{ch} they call'd ΧΩΡΕΠΙΣΚΟΠΟΙ⁶: of whom the first mention we have in

(¹) *Numbers*, chap. xi. vv. 16, 17—24, 25. See Honorii Gemm. *Anima de Antiq. Ritu Missa*, Lib. i. cap. 182, de *Sacerdotibus*.—"Hoc septuaginta viri expresserunt, qui spiritum Moysi accipientes populo praelati sunt."

(²) *St. Luke*, chap. x. vv. 1—17.—On the seventy disciples, the ἑβδομήκοντα of our Lord's personal appointment, see Suicer. *Thes. Eccl.* Tom. ii. col. 288. in v. Μαθηταί, iii. 2; Hooker's *Eccl. Politie*, B. v. p. 419; Mosheim's *Eccl. Hist.* Vol. i. pp. 56, 96; Jablonski, *Inst. Hist. Christ.* Tom. i. p. 19.

(³) πτωχικά.—"Reliquia reddituum episcopaliū, quæ ut superflua mendicis distribuebantur." Meursii *Glossar.* in voce, p. 486. ἡ ἱερωσύνη ἐπέβλεπε μετὰ τὴν ἀναγκάσι αὐτοῦ δαπάνη, καὶ τὴν τῆς ἐκκλησίας, καὶ τῶν κληρικῶν ἐνθὺς εἰσπορίαν, τὰ περιττεύοντα ἐκ τῶν εισόδων τῆς ἐκκλησίας, διαδόχῳ πρὸς πάντας πτωχικά γὰρ καλοῦνται. Balsamon *ad Can. Apost.* LIX.; and again Zonaras, *ibidem*, τὰ τῶν ἐκκλησιῶν πρᾶγματα ἡ γερὰ πτωχικά ἱερμάζω κ. τ. λ.; Bevereg. *Synodic.* Tom. i. pp. 38-9.

(⁴) *Acts*, chap. vi. v. 3.—Zonaras, *ad Can.* xvi. *Trullanum*, calls the primitive deacons ὑπηρέται καὶ εἰσπῆμαι τροφῶν. See Suicer. *T. E.* Tom. i. col. 870, 2. a.; Hooker's *E. P. B.* v. pp. 419, seqq.; Cave's *P. C.* Part i. c. 8. pp. 231, seqq.; Bingham's *Eccles. Antiq.* B. ii. c. xx. 16; Mosheim, *E. H.* Vol. i. p. 104; Jablonski, *J. H. C.* Vol. i. p. 20; Zeigler, *de Diaconis et Diaconissis*, passim; Bevereg. *Annot.* in *CC. Apost. can.* ii. in voce, καὶ διάκονοι, p. 15; Boëhmer. *Jus Parochiale*, Sect. vi. c. i. p. 309; Johnson's *Vade-Mecum*, Vol. ii. pp. 152, 166; Burnet's *Observations on the Second Canon of the Apostles*, pp. 65, seqq.; and Blomfield's *Judicious Annotations*, in his *Synopsis*, Vol. iv. pp. 187, seqq.

(⁵) "Whereupon," says the immortal Hooker, "wee may rightly ground this axiome, that when the subject wherein one man's labours of sundrie kinds are employed, doth waxe so great, that the same men are no longer able to manage it sufficiently as before, the most naturall waye to helpe this is by deviding their charge into slipes, and ordaining of under-officers, as our Saviour under twelve Apostles seaventie presbyters; and the Apostles, by his example, seaven deacons to be under both."—*Eccles. Politie*, B. v. p. 420.

(⁶) ΧΩΡΕΠΙΣΚΟΠΟΙ are supposed by Morinus, *de Sacris Ordinationibus*, Pars iii. cap. i.—iii. p. 40, to have been first ordained in Pontus and Galatia, about A.D. ccclxx., and thence to have spread over Eastern Christendom. The earliest notice of them, in the West, is in the *Concil. Regiense* of France, A.D. ccccxxxix. See Blondell. *Apolog. pro Sententiâ Hieronymi*, Sect. iii. p. 131; and *SS. CC.* Tom. iv. col. 534. The signification of the term

antient councils is that of Ancyra¹, c. 13, held in the year of Christ cccxiv., wth, together wth four other provincial synodes², was received into the *Cod. Can. Univers. Ecclesie*, and confirmed by the generall councill of Chalcedon, *Can. 1*. But y^e mention there made of y^e chōreπισκοπὶ is not such, as if they had bin there first instituted³;

is better understood by Suicer than Meursius. "*Dicti fuere non regionum aut paraciarum episcopi*," says the former, "*ut vulgò sibi persuadent, τῶν χωρῶν ἐπισκοποι, sed τῶν χωρῶν villarum aut vicorum, ut rectè interpretatur D. Exiguus in Can. x. Antiocheno: qui in vicis vel possessionibus chōreπισκοπὶ nominantur.*" *Theol. Eccl. in voce*, Tom. II. col. 1563. See Spelman. *Glossar. in voce chōreπισκοπος*; Ducang. *in voce*; Constantine, Hoffman, and Martini, *in voce*; Morisan. *de Protapapâ*, c. VII. pp. 106, seqq.; Walonis Messalini, *de Episcopis et Presbyteris*, pp. 312, seqq.

(¹) The council of Ancyra, the metropolis of Galatia, first mentions chōreπισκοπὶ by name, in its thirteenth canon: ΧΩΡΕΠΙΣΚΟΠΟΙΣ μὴ ἔξιναι πρεσβυτέρους ἢ διακόνους χειροτονεῖν, ἀλλὰ μὴν μὲν πρεσβυτέρους πύλαις, χωρὶς τοῦ ἐπισκοπῆσαι ὑπὸ τοῦ ἐπισκοποῦ μὲν γεγραμμάτων, ἐν ἐκείνῃ παραινῇ.—*Cod. Can. Eccl. Univ. in Bibl. J. C. V. Tom. I. p. 31; SS. CC. Tom. I. col. 1492; Blondell. Apolog. Sect. III. p. 95*. But it is supposed, with great probability, by Valesius, that these billan bishops are alluded to in the *Concilium Antiochenum contra Paulum Samosatenum*, *A.D. cclxix.*, under the designation of ἐπισκοποι τῶν ἐμὴν ἀγῶν, as distinguished from those τῶν πύλων.—Eusebii Pamphili *Eccles. Histor. L. VII. c. xxx. p. 362*. Valesii *Annot. in loco*. Mosheim places chōreπισκοπὶ in the first century, *Eccl. Hist. Vol. I. p. 106*; and probably they are as old as the apostolical times, as Raban Maur asserts. See Dr. Brett's *Church Government*, p. 223; Maurice's *Diocesan Episcopacy*, p. 77; and Boëhmer. *Dissert. v. de Christ. Catibus in vicis et agris*, p. 310.

(²) The four other provincial synods were those of Neocæsarea, *A.D. cccxiv.*; Gangra, *A.D. cccxxv.*; Antioch, *A.D. cccxli.*; and Laodicea, *A.D. ccclxiv.*; which, with the canons of four œcumenic councils, Nice, *A.D. cccxxv.*; Constantinople, *A.D. ccclxxxi.*; Ephesus, *A.D. ccccxxxi.*; Chalcedon, *A.D. ccclli.*; constitute the ΒΙΒΛΙΟΣ ΚΑΝΟΝΩΝ ΤΗΣ ΚΑΘΟΛΙΚΗΣ ΕΚΚΛΗΣΙΑΣ of the *Bibliotheca Juris Canonici* of Justellus, Tom. I. It is to the first canon of the latter council, held at Chalcedon in Bithynia, that Dr. Priaulx refers, as ratifying and confirming the canons of five antecedent provincial synods: τὰς παρὰ τῶν ἁγίων πατέρων καὶ ἐκείνῃ συνόδῃ, ἃς τοῦ νῦν ἐκείνῃς καὶ τῶν ἀποστόλων ἐκείνῃς. *C. C. E. U. in B. I. C. V. Tom. I. p. 61; SS. CC. Tom. IV. col. 1681*.

The council of Antioch, twenty-seven years after that of Ancyra, limits the functions of chōreπισκοπὶ in its tenth canon,—bidding them, in obedience to the synod's decree—ἰδίᾳ τὰ ἐκείνῃ μίτρα κ. τ. λ.—to be satisfied with their delegate and subordinate duties, and not to usurp the privileges of their superiors, the urban bishops, on pain of deprivation. *C. C. E. U. in B. I. C. V. Tom. I. p. 45*. and Routh, *Reliquiæ Sacrae*, Vol. III. *Annot. in Ancyr. Conc. Can. p. 434*.

(³) So Morinus, "*Præcedit hæc chōreπισκοπορῶν institutio concilia memorata (scilicet Ancyran. et Neocæsar.); nam in iis non agitur de chōreπισκοπῇ creandis, sed de eorum auctoritate coelegendâ, et episcoporum fascibus submittendâ, à quibus jam se eximere tentabant.*"—*De Sacris Ordinat. P. III. Exercit. IV. c. I. II.* See also J. H. Boëhmer *Observationes Selectæ ad saluam P. de Marca de C. S. et I. obs. IX. ad cap. XIII. Tom. I. p. 334*.

but that canon was fram'd, to restraints the *chorepiscopi* from some intrenchm^{ts} on y^e episcopall function; w^{ch} must needs inferre, that they had their place in the church long before: for the invasion of other men's rights is usuallie the practise of those, who have gain'd some reputation in the world; to obtaine w^{ch}, we know, is the work of time.

Now that the *chorepiscopi* were ordain'd for ease of the bishops under that solicitude, that must needs increase dailie, as did the number of beleivers, appeares by the fourteenth Can. of the councill of Neocæsarea¹, held in y^e yeer of Xt. cccxvi., wherein it is expresslie said, the *ΧΩΡΕΠΙΣΚΟΠΟΙ* were instituted *εἰς τύπον τῶν ἑβδομήκοντα* after y^e form or exemple of the seventy Disciples, which are commonly esteem'd to have bin soe manie *συνεργοί*, or assistants of y^e H. Apostles. So Raban^{us} Maurus, *Chorepiscopi* (saith he) *vicarii sunt episcoporum ad exemplum 70 seniorum aptati; nec aliq^d eis licet in ecclⁱa ordinare aut constituere, nisi quantum eis concedit^r à legitimis episcopis, qui sedem et regimen integrum in ecclⁱis obtinent²*. *De Inst. Cler.* L. i. c. 5. Vid. *Gemm. Anim. De Antiq. Ritu Missæ*, L. i. c. 182. B. PP. But as for that part of y^e episcopall function w^{ch} was comitted to their trust, it seemes in S^t. Basil's time (as appeares by his epistle to the *chorepiscopi*)³ to have consisted of all that now belongs to the Dean rurall, and some of y^e office of archdeacon.

(¹) The council of Neocæsarea, in Pontus, celebrated according to Hermant's *Clavis*, A.D. cccxiv., and certainly not later than cccxv. in the opinion of Bishop Beveridge, is, by Ruelius and Hartmannus (*Concilia Illustrata*, Tom. i. p. 1117) fixed at A.D. cccxvi., the date specified by Dr. Prialux. As to the distribution and number of the canons of this council, there is again some difference among the learned. By dividing canon XIII. (in the *Codes Can. Eccl. Univ.*) into two, the common reckoning makes a total amount of fifteen canons in the Neocæsarean council; of which, the one alluded to is numerically the fourteenth:—*οἱ δὲ ΧΩΡΕΠΙΣΚΟΠΟΙ οἱ μὲν εἰς τῶν τῶν ἑβδομήκοντα ὡς δὲ συνεργοὶ διὰ τὴν σωτῆρ τὴν εἰς τοὺς πτωχοὺς προσφέρουσι τιμῶνται*. But the venerable editor of the *Reliquiæ Sacræ*, supported by a strong phalanx of authorities, unites the latter clause on *ΧΩΡΕΠΙΣΚΟΠΟΙ* to the preceding on *ἐπιχρίσει περιβύττει*, considering them, instead of distinct canons, to be members of one and the same canon, viz. the thirteenth;—whereby the aggregate number is reduced to fourteen. See *Bibl. I. C. V.* Tom. i. p. 40; *Reliq. Sacr.* Vol. III. pp. 461, seqq.; and *SS. CC.* Edit. Colet. Tom. i. col. 1509.

(²) "*Ordinati sunt autem chorepiscopi*," continues the archbishop of Mentz, "*propter pauperum curam, qui in agris et villis consistunt, ne eis solatium confirmationis deesset*." But when he says they are called "*chorepiscopi, quia de choro sunt sacerdotum*," we may be allowed to doubt.—*De Inst. Cler.* L. i. c. 5. E. See Meursii *Glossar.* p. 630; Ducange *Gloss.* in voce, and other references beyond, at p. 454, note 1. The *Gemma Animæ de Sacerdotibus* has been adduced at p. 450, note 1. "*Hoc septuaginta viri expresserunt &c.*"

(³) Basil had no less than fifty *chorepiscopi* attached to his large diocese; as we learn from

But the church soon found the inconvenience of communicating the whole title, and but part of the office of a bishop unto those *chorepiscopi*; of whose encroachment St. Basil complains in the forementioned epistle¹: and they undoubtedly were antiquated (by w^t may be collected from y^e fifty-seventh *Can.* of y^e Conc. of Laodicea²,

from Gregory Nazianzen, *Carm. de vitâ suâ*, p. 8 :

τούτους μ' ἰ σιντήκοντα ΧΩΡΕΠΙΣΚΟΠΟΥΣ
στινοῦμενος διδουκι.

See S. Basilii Opera, Tom. III. *Epist.* CLXXXI. p. 193. The archbishop complains of the general decay of discipline in his days, and the indifference shewn to the characters and qualifications of persons about to be ordained to the priesthood:—*φοβούμαι μὴ κατὰ μῆκεν τῆς ἀδιαφορίας ταύτης ἰδῶ περιούσιος*, says he, in warning words well worthy the attention of the church in all ages, *εἰς παντιλὴ ἐγγυσει ἰλθῇ τὰ τῆς ἐκκλησίας πρᾶγματα*, &c. &c.—and contrasts the greater care of the clergy of earlier days, in properly attesting the certificates of candidates for orders, with the laxity of those of his own days:—*καὶ τοῦτο ἐξήταζον μὲν πρεσβύτεροι καὶ διάκονοι εἰ συνηθύνοντες αὐτοῖς, ἐκνήριζον δὲ τοῖς ΧΩΡΕΠΙΣΚΟΠΟΙΣ, εἰ τὰς παρὰ τῶν ἀλλοθῶν μαρτυρούντων διέκρινον ψήφους, καὶ δοκιμήσαντες τὸν ἰσχύοντα, οὕτως ἐκείνου ἐπὶ ὑψηλῶν τῶ τάγματι τῶν ἱεραικῶν*, &c. &c. Balsamon glosses on this letter of Basil (the ninetieth canon to Amphilochius, bishop of Iconium) that all the abuses of the *chorepiscopi* there mentioned had entirely ceased—*ἰσχύοντα παντιλῶς, καὶ πάντες οἱ κληρικοὶ παρὰ τῶν ἱεροκόπων γίνονται κατὰ μόνην δοκιμασίαν αὐτῶν*. Bevereg. *Synod.* Tom. II. p. 375. See Natalis Alexander de *chorepiscopis* *Dissertation*, pp. 174, et 180, on this epistle of Basil.

The *chorepiscopal* duty referred to by Dr. Priestly, on the authority of Basil (*Epist.* CLXXXI. p. 193), has been, at different times, fulfilled by archdeacons and rural Deans; and so also that, which Basil subsequently commands the *chorepiscopi* of his diocese to perform; *viz.* of enrolling the names of the ministers of each village and town in a register—*ὅπως εἰσῆκται ἱερεῖς, καὶ ἐν τοῖς βίβλῳ ἱερῶν, &c.*—the ἀναγραφὴ of which was to be sent to the archbishop, and a duplicate kept by each *chorepiscopus*. This primitive regulation, it is not improbable, may have been the archetype whence Archbishop Peckham derived his plan of archidiaconal and vicaral agency in the registration of the clergy and their livings, &c. *A.D.* MCLXXXIX.—*CC. M. B. et H.* Vol. II. p. 33. See *Horæ Ætaticæ Rurales*, Part IV. Sect. V. c. VII. § 2.

(1) Νῦν δὲ πρῶτον μὲν ἡμᾶς παρενόησαν, writes Saint Basil, καὶ μὴδὲ ἱκανοῖς ἡμῶν καταδείχθησαν, εἰς ἱσχυὸς τὸν ἰδὼν περιουσίαν αὐθιγῶν, &c. &c. *Epist. Cii.* Not only had the *bisbani* *bishops* encroached on the just prerogatives of the urban, and thereby given offence, but they had also uncanonically delegated their own functions to presbyters, or at least, from weakness and sheer carelessness, had allowed of their functions being usurped and exercised by the latter.

(2) The council of Laodicea, the metropolis of Phrygia Pacatiana, was held *A.D.* CCCLIV. The fifty-seventh canon was the following:—*Ὅτι οὐ δεῖ ἐν ταῖς πόλεσιν καὶ ἐν ταῖς χώραις καθίστασθαι ἱεροκόπους ἀλλὰ ΠΕΡΙΟΔΕΥΤΑΣ* τοὺς μὲν τοὶ ἄνθρωποι προκαταστάθηναι μὴδὲν πρᾶττον ἂν γνῶναι τοῦ ἱεροκόπου τοῦ ἐν τῇ πόλει. *C. C. E. U.* in *Bibl. I. C. V.* Tom. I. p. 54. *SS. CC.* Tom. I. col. 1539. Still it may be inferred, from the subscriptions of *chorepiscopi* to councils in this and the next century, that they remained frequent in the East. At the council of Nice, two *chorepiscopi* subscribed from Coesyrria, one from Cilicia, five from Cappadocia, three from Isauria,

hereafter spoken of) long before Balsamon's time, who lived about y^e year of Xⁱ. MCXC., and sayes of these *chorēpiscopi*¹, γⁱ ὁ τῶν ΧΩΡΕΠΙΣΚΟΠΩΝ βασιλεὺς παντελῶς ἠπράκτεσεν, *ad* Conc. Ancyr. c. 13., that order was wholie abolisht in y^e church: and in y^e place thereof we find there succeeded y^e ΠΡΩΤΟΠΑΠΑΣ or ΠΡΩΤΟΪΕΡΕΥΣ², after

Isauria, and two from Bithynia: at the council of Ephesus we have Cæsarius *chorēpiscopus* Cappadocie.—Hartman. et Ruel. *CC. Illustr.* Tom. II. p. 213.

(¹) Balsamon's words (which the reader will find cited by the learned president of Magdalen, in his *Annot. in Ancyr. Conc. Cann. Reliq. Sacr.* Vol. III. pp. 438–9) are to be received with some qualification. It is true, that in the Eastern church the order of *billan* bishops *πατριλῆς ἡγούμενους* in the patriarchates of Constantinople and Antioch, but *not* in that of Alexandria; where, on the authority of Petrus de Marca, *de Concord. Sacerd.* L. II. c. 14, the *chorēpiscopi* supplanted the bishops, and enjoyed the sole regimen of the churches under the patriarch. This, however, was a particular exception; and may not invalidate the *general* assertion of the Greek canonist and commentator in relation to the East. But the case was very different in the West, where we find, between the time of the suspension of this order in the Greek church and the age of Balsamon, numerous notices of *chorēpiscopi* in councils, capitularies, and papal epistles. See *Epist. Joann. Pap.* III. A.D. DLX., SS. CC. Tom. VI. 502. *Capitul. Aquiegran. Carol. M.* A.D. DCCLXXXVIII., SS. CC. Tom. IX. col. 2; with many others of the age of Charles the Great and Charles the Bald, in the *Concilia Gallie*. Indeed, even the establishment of archdeacons and archpriests does not appear to have led to an entire and perpetual suspension of the *chorēpiscopial* order in the West. So far from it, that in our own country, Dr. Inett supposes (*Origines Anglicanae*, Vol. II. c. III.) the order was introduced at a comparatively late period, viz. posterior to the Norman Conquest; our forefathers, doubtless, following the type of ecclesiastical government, which had earlier obtained among their Gallican neighbours. The grade, once instituted, long prevailed in these islands. And, upon the accurate information of Mr. Wharton, it may be stated, that in the diocese of London, alone, there were no fewer than twenty-eight *chorēpiscopi* between the years MCCCXII. and MDXL. *De Episcopis Londinensibus*, p. 124. In the diocese of Sarum, there were twenty-nine, the earliest being A.D. ML., the latest A.D. MDXXXVII., according to Mr. Wharton's *List of suffragan bishops* in the Lambeth Library. Such readers as are desirous of farther information respecting the ancient *chorēpiscopi*, are referred to the following works (in addition to the well-known authorities of Meursius, Suicer, Ducange, Morin, Duaren, Thomassin, &c.), Rhaban Maur *de Chorepiscopis*, (SS. CC. Tom. x.); Isidore *de Eccles. Offic.* L. II. c. 6; Balsamon, Zonaras, Aristenus, and Blastares, apud Bevereg. *Synodic.*; Routh's *Reliq. Sacrae*, locis citatis; Zeigler *de Chorepiscopis*; Natalis Alexander *de Chorepiscopis Dissertatio*; Boëhmer *Jus Eccles. Protest.* Lib. III. Tit. IV.; and *Observat. Selectæ ad calcem P. de Marca de C. S. et I. observat.* IX. c. XIII. Vol. I. Dr. Downname, Archdeacon Parker, Dr. Brett, Bingham, Nelson, Johnson, Burnet, and other English writers, will afford much information, in their respective works.—And the *CC. M. B. et H.* Vol. III. p. 398, give us a clear and circumstantial account of the duties of our own *chorēpiscopi* in the fifteenth century, in the commission of the archbishop of Canterbury to the bishop of Dromore.

(²) That the ΠΡΩΤΟΠΑΠΑΣ succeeded the ΧΩΡΕΠΙΣΚΟΠΟΣ in the East, is expressly affirmed by Balsamon and Aristenus. The former interprets the ΧΩΡΕΠΙΣΚΟΠΟΙ of the eighth canon of Antioch by ΠΡΩΤΟΠΑΠΑΔΕΣ; and the latter as plainly says, ΧΩΡΕΠΙΣΚΟΠΟΙ

the manner of the Western church; in w^{ch} the burden of episcopacy was principally eas'd by the distinct offices of archdeacons, and archpriests¹; the former whereof, that they should be soe much greater in dignity then y^e later, who were of the higher order², may seem somew^t strange; but y^e histories of y^e church will easilie remove y^e doubt, if we consider, that at Rome y^e deacons³ ever had y^e care of distributing y^e

ΣΚΟΠΟΙ ἢ αἱ ἐν αἰς ἐκκλησίαις ἐν ταῖς πόλεσιν καὶ χώροις ΠΡΩΤΟΠΑΠΑΔΕΣ λεγόμενοι. Of the ΠΡΩΤΟΠΑΠΑΣ, more presently:—ΠΡΩΤΟΪΕΡΕΥΣ, as its synonym, occurs in Goar's *Greek Ritual*, p. 287; but is not found in Meursius or Suicer. Archipresbyter, protopresbyter, archipapa, and protopapa, are glossed by Sir Henry Spelman, with his usual judgment, as synonymous. See *Glossar. Archæolog.* p. 39. and Morison. *de Protopapis, passim*.

(¹) Archdeacons and archpriests appeared, according to Mosheim (*E. H.* Vol. i. p. 357), and Jablonski (*I. R. C.* Vol. i. p. 100), in the fourth century. Both are mentioned in an epistle of Saint Jerome, *A.D.* cccclxxviii., and in the seventeenth canon of the fourth council of Carthage, *A.D.* cccxcviii. But in the middle of the preceding century, it is clear, on the authority of Anastasius in Sixto, that Saint Laurence was an archdeacon, the same who suffered martyrdom, *A.D.* cclx., in the episcopate of Sixtus of Rome; and whose duties, as the first of the seven deacons, and the church's almoner, are sung by Prudentius, in verses pertinent to the text:—

*Hic primus à septem viris,
Qui stant ad aram proximi,
Levita sublimis gradu
Et ceteris præstantior:
Caustris sacrorum præerat,
Cælestis arcanum domus
Fidis gubernans clavisibus
Votasque dispensans opes."*

Hymn. de S. LAURENT. v. 36.

(²) "Archipresbyter se esse sub archidiacono, ejusque præceptis, sicut episcopi sui, sciat obedire." *Decret. i. Distinct. xxv. de Ecclesiasticorum Officiis*, I. 12. *Corp. Jur. Can.* p. 34. "Though the archpriest be major ordine than the archdeacon (if he be but a deacon and not a priest)", observes Mr. Somner ("ex gl. in c. i. de Off. Archipresb. v. subesse), yet is the archdeacon than the archpriest major dignitate." *Antiquities of Canterbury*, Part I. p. 175. See Ducange *Glossar. in voces archidiaconus*; Kennett's *Paroch. Antiq.* Vol. II. p. 356; and Cujacius, quoted by Baluzius, in his notes on Gratian, D. I. c. 25. "Archipresbyter subjectus est archidiacono, presbyter diacono: Quod primè fronte mirum videtur: et verum est tamen."

(³) De officio Diaconi, see *Decret. i. pars Distinct. xciii. passim*. "Numerum et ministerium primitivum diu retinuit diaconus," says Spelman, "illum pro ratione temporis in septenario: istud in curandis mensis, pecuniâ publicâ, viduis, et pauperibus." *Gloss.* p. 169. Prudentius, at vv. 146, seqq. of the hymn before cited, alludes to Saint Laurence's distributing the oblations of the church to the poor:

*"Tales (pauperes) plateis omnibus
Esquirit, assuetos ali
Ecclesiæ matris penu,
Quos ipse promus noverat."*

part of the revenues and oblations of y^e church, w^{ch} were sett apart for y^e relief of y^e numerous poor of that city; that they were y^e common "Εκδικοί¹ and defenders of y^e church, and were besides y^e Apocrisiarii² of y^e B^p of Rome, imploy'd in transacting y^e weighty affaires of y^e church both abroad and at home; w^{ch} must needs advance their reputation, whilst y^e order of presbyters was in a manner lost to y^e world, by

(¹) The *ἰκδικοὶ* and *ἐκκλησιῖκδοικοὶ* of the Greeks answered to the *defensores ecclesie*, the syndicks of the church, among the Latins. There were also *defensores pauperum*, as appears from the fifth council of Carthage. It was the business of syndicks to solicit the injured cause of the church, and its poor members, in civil courts; and if not there remedied, to address the emperor in the name of the church, procure a precept in favour of the aggrieved party, and see it executed. This duty, by our rural Dean, and by Zonaras, (*ad Cen. 3. Chalcedon.*) assigned to diaconal ministration, is by Codinus (*de Offic. Constantinop. c. i. 30. p. 5*) made presbyteral, being bestowed on the archpresbyter or *πρωτοπρεσβυτης*, *ἰκδικοὶ καὶ πρῶτος τοῦ βήματος*. Bishop Beveridge is of opinion that the chancellor of modern days is the representative of this ancient officer, perhaps the *πρωτοῖκδικοσ*; and so Godolphin, "Those whom we now call the bishops' chancellours, are the very self-same persons in office, that anciently did exercise ecclesiastical jurisdiction under bishops, and were called *ecclesi-eodici*." *Reperitor. Canon. chap. x. i. p. 81.* See Bevereg. *Synod. Tom. ii. p. 123.*, and Routh, *Opusc. Ecclesiast. pp. 462–3*; also Meursii *Gloss. in v. p. 148*; Ducange in *v. Vol. i. col. 746*; Spelman in *v. p. 166*; and in *vv. Advocatus Ecclesie*, p. 19; Suicer. *T. E. col. 1045*, in *v.*; Thomassin. *V. et N. E. D. de benef. P. i. L. ii. c. xvii.*, seqq.; Morin. *de S. O. P. iii. Exerc. xvi. c. vi.*; Bingham's *E. A. B. iii. c. xi.*; and Goar *de Offic. Eccl. Const. p. 286*, in *v. πρωτοῖκδικοσ*.

(²) Ducange's account of the *ἀποκρισῖαρι*, or *responsales*, is the best of all the glossarigraphers: "A. præsertim dicti qui à pontifice Romano, vel etiam ab archiepiscopis ad comitatum mittebantur, quo res ecclesiarum suarum peragerent, et de iis ad principem referrent. Si enim quæpiam ingrueret difficultas in rebus ecclesiasticis, seu politicis, quæ à principe definiri deberet, vel de quâ consulendus ille esset, per apocrisarium, qui in comitatu, seu principis curiâ agebat, agitabatur; qui et pontificem, à quo missus erat, de principis, et vicissim principem de pontificis responsis, tanquam internuntius, admonerat, quousque res legitimo exitu donaretur." Vol. i. col. 555. Hincmar calls the Apocrisarius "*responsalis negotiorum ecclesiasticorum*," *Lib. de Ord. Palat. c. xiii.*; and says the office originated in the days of Constantine the Great. *Ep. iii. c. xiii.* "Primitus hoc munere fungebantur episcopi, sed quia consultus videbatur, ut ipsi suas curarent ecclesias, plerumque diaconi aut presbyteri eorum vices agebant, et ideo ἀποκρισῖαρι appellabantur." Suicer. *T. E. Tom. i. col. 456*, in voce; Meursii *Glossar. in v. p. 43*, and the works before cited under *ἰκδικοὶ* for farther information, in *v. Apocrisarius*. The council of Constantinople (*A.D. dxxxvi.*) presents us with *Μακάριος ὁ Σινοβίστερος ἰκδικοσ*, *νοτάριος καὶ ἀποκρισῖαριος*, and others, *SS. CC. Tom. v. col. 1048*. *Σαβῖνος ἰκδικοσ . . . κληρὸν τὰς ἀποκρισῖας*—col. 1064; and in the fifth council of Arles, we have *Quindius archidiaconus, missus à Theodosio episcopo, &c.*—*Claudianus . . . diaconus missus ab Emerito episcopo*, *Tom. vi. col. 462*. The subscriptions of archpriests (proper and vicarious) appear to the seventh council of Toledo, *A.D. dcliii.*—*SS. CC. Tom. vii. col. 425*.

their close attendance upon sacred offices.—But y^e office of y^e archdeacon is w^out y^e compasse of o^r design at y^e present.

As for y^e archpresbyters¹, there were of them two sorts in the church: the one of y^e city; and y^e other of y^e country. Y^e of y^e city is to my judgm^t y^e same wth y^e chancellour of y^e Mother Church² amg^t us; as may verie reasonably be gathered from the description made of his office in y^e *Decretals*, L. 1. Tit. xxiv. cap. 1. II. III. where amg^t other things it is said, that it is y^e archpresbyters dutie—*assidue in ecclesiâ stare*, and that *in episcopi sui absentia ad vicem ejus missarum solemnita celebret, et collectam* (that is *missa matutina aut ferialis*) *dicat, aut cui ipse injunxerit*, cap. 1. :— and cap. II. *in p^ricipuis festivitatib^{us} aut ipse (scil. archipresbyter celebraçem missæ solenniter impleat, aut ad sui jussionem, cui committit^r, peragat venerantèr*. Soe y^e counsell of Toledo, archipresbyter civitatis subest archidiaz. et principaliter p^rest presbyteris et presbyteralibus officiis³. And soe amg^t y^e Greeks πρῶτος, ἐστὶ τοῦ θήματος φέρων τὰ δευτερεῖα τοῦ Ἀρχιερέως. Codin. c. 1. next to y^e b^d in y^e church⁴;

(¹) All Deans, in the language of the church, are denominated archpresbyters;—of whom the canonists make two kinds. Lancelot of Perugium, in his *Institutiones Juris Canonici*, (Lib. 1. Tit. XIV. de Officio Archipresbyteri) distinguishes them by the titles of urbani and exteri. Others again, by those of civitatenses and rurales, urbani and vicani, &c. In the *Summa Silvestrina*, fol. xxxix. the *cl. ruralis* is defined “*qui præest solummodo plebi*,” and civitatensis as “*ecclesiæ cathedralis,—qui alio nomine dicitur Deanus*.” Such also is the distinction of the epitomizer A. Corvinus, p. 27.

(²) By “y^e chancellour of y^e Mother Church amg^t us,” Dr. Priaulx probably means in the church of Sarum; but what peculiar functions this chancellor performs, so as to approximate more nearly than the Dean to the type of the ancient archpriest of the city, the editor is at a loss to discover. The cathedral Dean is, by common interpretation, the modern representative of the archipresbyter urbanus or civitatensis, and no reason is known to the writer why the analogy should not obtain in the church of Sarum, as well as elsewhere. “The chief over the *conventus* or *collegium presbyterorum*, or the *vice-præses* next to the bishop,” says Burnet, “was called archipresbyter or Deanus, idem quod decurio, qui decem militibus præerat.” *Observat. on the Second Apost. Canon*, p. 58. Probably, Dr. Priaulx, in the course of transcribing copies of his address, carelessly entered the chancellor instead of the Dean of the Mother Church.

(³) These quotations are all taken from the Decretals of Pope Gregory IX. Lib. 1. Tit. xxiv. de Officio Archipresbyteri; being there found—I. ex Concilio Toletano, A.D. DCXXXIII. II. Leo Papa IV. A.D. DCCCL. III. Idem eod. Anno.

(⁴) The archipresbyter of the Latins was the protopresbyter, and subsequently the protopapas of the Greeks, as already stated. And the canon cited in the text from Codinus (*de Offic. Constant.* c. 1. xxx. p. 6), defining the functions and rank of the ΠΡΩΤΟΠΑΠΑΣ or ΠΡΩΤΟ-ΙΕΡΕΥΣ in the East, is, in the explanation of Gretser, in his commentary, p. 161, (“*defensor, et inter sacerdotes natus; primus, et sic proximus à patriarchâ*”) equally applicable

and hath a form of ordination appointed for him¹, as may be seen in Goar, *Euchol.* p. 287.

But then for y^e archipresbyter ruralis (wth us call'd y^e Dean rural^l) he was appointed to ease y^e burden of episcopacy in minorib⁹ titulis (sayes y^e law^{ty}) in y^e inferior or country-churches: and on the behalf and instead of y^e bishop was intrusted wth y^e oversight of y^e rurall presbyters, and likewise y^e people comitted to their charge, and was by the antients esteem'd an office soe necessarie in the church, that it was not to be intermitted, though a bishop highly qualifed for govern^t were plac'd in y^e see; because saies the law, *etsi valde idoneus sit* (i.e. epūs) *decet ēn ut sua onera partiali*—*ut in nullo titubet ecclesiastica sollicitudo*. See R. Maurus in *fine c. p'fat* s⁴—

to the urban archpriest, or cathedral Dean of the West—*ἰ πρῶτος τῶν ἱερῶν* (*Turcograecia*, fol. 218) "*primus sacerdotum*"—" *summus presbyter*"—whose duties in the Greek church are farther illustrated in the ΕΥΧΟΛΟΓΙΟΝ of Goar, p. 271, and again, p. 277, and *note*, p. 287.

(¹) The *εὐχὴ ἀναλυτικὴ εἰς τὸ ποιεῖν ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΝ*, in the Greek Ritual referred to, is too long for entire transcription; but as the learned editor of the *Euchology* seems to think that the ΠΡΩΤΟΠΑΠΑΣ was the then representative of the more ancient ΧΡΕΙΣΤΟΠΟΙΟΣ, and had authoritative superintendence over country presbyters "*in vicis*,"—whereby he is rendered, of course, a more interesting personage to a modern rural Dean—("*proximus huic, magno sed proximus intervallo!*") the introduction of the beautiful prayer (ex *Euchologio Allatiano*) offered up by the ἀρχιερεὺς at his ordination, will not, the writer trusts, be deemed impertinent. The volume whence it is extracted—from Dr. Parr's library at Hatton—is of some rarity, and not likely to be found on the book-shelves of many of the rural clergy.

The protopresbyter (ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΝ—ΠΡΩΤΟΠΑΠΑΣ) kneels at the step of the altar, before the ἀρχιερεὺς, who places his hand upon his head, and thus prays:—

ΔΕΣΠΟΤΑ ΚΥΡΙΕ ΙΗΣΟΥ ΧΡΙΣΤΕ, Ὁ ΘΕΟΣ ἡμῶν, ὁ τὴν ἱερωσύνην χαρισάμενος τῷ γένει ἡμῶν, καὶ τῆς καθ' ἡμᾶς λαοῦ καὶ τιμῆς τὴν χάριν ἡμᾶς ἰδυσάμενος· καὶ αὐτὸς ἱκανὸς αὐτοὺς εὐλαβεῖς καθιστάμενος, τοῦ ἱερωτικῆς διακονίας, καὶ διαποιῶν τοὺς υποβιβηκότες λειτουργοὺς τοῦ μυστηρίου σου· καὶ αὐτοὺς ἰδύσας τὸν ἀδελφεὶ ἡμῶν—"Ὁ—καὶ τῇ σιμύντῃ κατακείμενος αὐτὸν, τοῦ ἐν ἐκχρῆ ἱστασθαι τῶν προσβητέων τοῦ λαοῦ σου· καὶ καλὸν ὑποδείγμα τοῖς μὲν αὐτοῦ γινίσθαι καταξίωσον· καὶ μὲν εὐλαβεῖς καὶ αἰδῶς ἐν γένει καλῶ τιλίσαι τὸν βίον ὑδίσκῃ, καὶ πάντας ἡμᾶς ἐν ἀγαθῇ Θεῷ ἰλίσκῃ. Ἐνι τὸ ἐλ ἐν δυνάμει σου καὶ ἐν ὁμῇ πᾶσι ἡ κρίσις, εἰς τοὺς αἰῶνας τῶν αἰώνων. α.ε.λ.

(²) "Rural Deans are the same with archipresbyteri bīcani or rurales, and their names are often confounded, but more frequently occurreth the name of archipresbyter, and is more used among the canonists than that of Decanus." Somner's *Antiq. of Canterbury*, Part I. p. 175.

(³) The law referred to is the last chapter, viz. the fourth, of the *Decretal* before mentioned, D. Gregor. IX. L. I. Tit. xxiv. de Officio Archipresbyteri. iv. "*Ut singula plebes archipresbyterum habeant.*" See Dr. Field of the Church, p. 507.

(⁴) This reference of Dr. P. to the archbishop of Mentz is probably intended to point out the latter part of L. I. c. 5. de Instit. Clericor. as far as it is applicable to the chorepiscopi (of whom the archbishop is speaking) and rural Deans in common. It has been already quoted.

The care indeed of y^e antient church was exceeding great for y^e preservation of discipline, and increase of beleivers, as you may see by y^e fifty-seventh *Can.* of y^e counc. of Laodicea¹, where you find an appointm^t of y^e ΠΕΡΙΟΔΕΥΤΗΣ, y^e *circum-rursator*, or *itinerant*, whose office Blastares, Zonaras, and Balsamon, agree y^t it was,

(¹) The fifty-seventh canon of the council of Laodicea (*A.D.* CCCLXIV.) orders the institution of ΠΕΡΙΟΔΕΥΤΑΙ, instead of ΣΩΠΕΡΙΣΚΟΠΟΙ. The words of the canon have been cited. But these spiritual physicians were not *then* established for the first time. Indeed, before the date specified in Dr. P.'s MSS. they are noticed in an epistle of Peter, archbishop of Alexandria, (*circoiter A.D.* CCC.), under the title of "*Presbyteri, quibus permissum erat egentes visitare.*" Routh, *Reliq. Sacr.* Vol. III. p. 348. *ex Vet. Vers. Lat.*—And again, in an epistle of the Egyptian bishops, written, it may be, by Phileas, bishop of Thmuis, to Meletius, (about the same time,) under the title of "*Circumeuntes et potentes visitare.*" *Reliq. Sacr.* Vol. III. p. 382. *ex Vet. Vers. Lat.*

It is somewhat strange, that of the ΠΕΡΙΟΔΕΥΤΗΣ, whose station and grade seem to have been between the villan bishop and presbyter, no notice whatever should occur in the long and varied catalogue of Codinus. He is briefly mentioned in the ΕΥΧΟΛΟΓΙΟΝ of Goar, p. 278.

Upon the etymology of the term ΠΕΡΙΟΔΕΥΤΗΣ, Salmasius and Suicer are at issue with Dr. Priaulx, his canonists and scholiasts, with Meursius and Goar. The words of the cited canonists of the text appear favourable to the interpretation of the *περιόδευταὶ* being itinerant preachers—ΠΕΡΙΟΔΕΥΤΑΙ ἢ λήγονται, says Zonaras, *ad Can. LVII. Laodicea.* διὰ τὸ περιέρχεσθαι, καὶ καταρτίζειν τοὺς πιστοὺς, μὴ ἔχοντες καθίδραν εὐκλείας: and so the Greek Ritual—ἡ ΠΕΡΙΟΔΕΥΤΗΣ περιπατῶν, καὶ διηγῶν τοὺς μίλλοντας εὐαγγελίῳ ἐν τῇ ἐκκλησίᾳ πιστοῖν. Such also is the construction put upon the term by Dr. Cave, (*P. C.* Part I. c. VIII. p. 224), and Dr. Routh, (*Reliq. Sacr.* Vol. III. p. 477). But it is the opinion of Salmasius (*de Primatu*) and Suicer (*Theol. Eccl.*) that the *περιόδευταὶ* were *residents* rather than *itinerants*, or *circumcursators*. And, indeed, notwithstanding Goar's "*Caveat Salmasius ne circulatores fucos et theriacum diuendentes, pro veris corporum curatoribus ingerat,*" &c. (*Euchol.* p. 289)—there is much plausibility in these learned men's hypotheses. The primary signification of ΠΕΡΙΟΔΕΥΤΗΣ, say they, being *medicus, cuiuscunque morbi curator* (not *lustrator, circitor*, as supposed by Meursius, *Gl.* p. 420): the term may secondarily signify *curator animæ*;—whence presbyters of urban and rural parishes, with *cure* of souls, were called *curati*. "*Non enim,*" says Suicer, Vol. II. col. 676, in *vocæ*—"ΠΕΡΙΟΔΕΥΤΑΙ illi, qui pro chorepiscopis dicti sunt, et in eorum nomen locumque successerunt, ita vocabantur, quod circitores essent. In uno quippe loco manebant *ἐκκλησιαστικοί*, id est *curantes*, ut urbium *episcopi*." Hoffman says: "*Περιοδεῦται, Græcè ΠΕΡΙΟΔΕΥΤΗΣ, visitator est—officium ecclesiasticum apud Græcos, institutum in concilio Laodicensi, pro villis, terris, ac castellis, in quibus episcopi non erant. . . . Idem in Constantinopolitanâ synodo visitatores, à Gregorio Thessalonico. Ambulatores, à Balsamone patriarchâ dicuntur,*" &c. Vol. III. p. 664, in *vocæ*. The *periodeuta* was, in grade of office, intermediate between the *chorepiscopus* and presbyter; as is distinctly set forth by Gennadius, patriarch of Constantinople, in his epistle published by Alexius Aristinus, in his *Synopsis*. See Bevereg. *Synodic.* Tom. II.

to goe from village to village in y^e country, and καταρτίζειν τοὺς πιστοὺς, by correction, admonition and encouragm^t (as need was) to help forward y^e salvation of believers, and to labour also in y^e conversion of infidells: this office instituted ab^t y^e yeer of Xⁱ CCCXLI. is y^e wth (as before I hinted) may be thought to have weaken'd y^e credit of y^e ὑποεπισκοπὴ; and seems to be y^e same wth the ΕΞΑΡΧΟΙ¹ of y^e bishops in after ages, as some doe rightly conjecture.

(¹) Not the *μυτροπολίται* so called, with whom we have no concern; but "ΕΞΑΡΧΟΙ under the bishops of later date. "*Postea ΕΞΑΡΧΟΙ dicti quoque ὑποεπισκοπῆ,*" says Meursius in *Glossar.* p. 157—"quasi ex principatu dependentes aliorum. Hinc illud scholiasta in *Can. ix. Synodi Antiochenæ*, ΧΩΡΕΠΙΣΚΟΠΟΙ, οἱ οὖν λεγόμενοι ΕΞΑΡΧΟΙ, ὅτι παρῆρχον εἰσιν, ὅτι μυτροπολίτου." When alluding to the supposed identity of *επαρχὴ* and *perioicene*, and giving his sanction to its probability, our author had in view, likely, Balsamon's commentary on the cited canon of Laodicea—ΠΕΡΙΟΔΕΥΤΑΙ δὲ εἰσιν οἱ σύμμοροι περιβαλλόμενοι παρὰ τῶν ἱεραρχῶν ΕΞΑΡΧΟΙ· οὗτοι γὰρ περιδιδοῦσι καὶ ἰσχυροῦσι τὰ ψυχικὰ σφάλματα, καὶ καταρτίζουν τοὺς πιστοὺς. See Gretseri *Comment.* L. I. c. XII. in *Codini* cap. x. 4. p. 167; and Goari *Annotatt. ad EYXO-ΛOΓION Græcorum*, p. 288, in voce *ἑπαρχοί*.

Many of the services of the Eastern *επαρχὴ* (a functionary assuredly very nearly allied to the ΠΕΡΙΟΔΕΥΤΗΣ and precedaneous bishop of the country) were heretofore performed by archdeacons, and *ἐκταν* archpriests or rural deans, in the Western parts of Europe—a circumstance which renders any attempt to illustrate his duties not out of place in these notes. Indeed, it must be borne in mind by the reader, that out of the *ὑποεπισκοπική* office sprung the rural dean's (as is fully shewn elsewhere from Spelman, Valesius, Stillingfleet, and other competent authorities); and therefore if the former approximate in the same degree to the *επαρχική* office, there will be little difficulty in connecting the latter with the *ἀρχιεπισκοπική* of the country. But to facts:—Codinus (p. 168) tells us that *επαρχοί* were vicars and legates, or ambassadors, of the patriarchal see—collectors of patriarchal dues and subsidies;—that they had power of deposing and excommunicating offenders against church-discipline, τῷ ἀρχιεπί τῶν καὶ ἀφ' ἑξῆς δι' ἐντολῶν αἰτίους; and lastly, of absolving penitents, for which they were furnished by the patriarch with proper letters, entitled *συγχρηστικά γράμματα*. *Turco-giwo.* fol. 219.

Again, from Goar we learn that the ΕΞΑΡΧΟΙ *παρεμμεχικοί* were delegate officers, appointed to visit the different provinces of the patriarchate; wherein they were to inquire, amongst other things, whether canonical discipline was strictly observed in all private churches;—whether the manners of the clergy were lax and needed correction;—whether the laity lived in obedience to God's laws. In short, they were *visitatores*, subordinate and responsible to the patriarch, from whom they derived their commission, and to whom they were bound to deliver their acts of visitation. Moreover, they were officially concerned in the ceremonial of ordination—the appointed ministers of their superior in advancing candidates through the different grades of orders—as appears from a cited diploma in Goar; who, in his day, says he had personally known many of these Eastern *circumscriptores*—ὁ δὲ αὐτὸς ΕΞΑΡΧΟΣ καὶ τοὺς ἑξῆς ἱερεῖς μιλῶντας διὰ τῶν πατὴρ μίτρος βαδμῶν εἰς τούτω αὐτὸ περιβαλλόμενοι μετὰ τῶν πατριάρχων μαρτυροῦν

In y^e canon law you have the offices of the archipræbyter of the city and dean rurall fully set down, agreeable for y^e maine to w^h are customarily us'd amongst us: w^h for satisfaction of those of my brethren who want y^e helpes of y^e books themselves, I have transcrib'd out of one of their epitomists¹. *Ille (scil. archipræbyter urbanus vicem episcopi absentis gerit, curam præsentis minuit. Nam officia sacra in cantandâ missâ, benedictionib⁹ conferendis, sacramtis administrandis, et ut sacerdotes in iis administrandis probè se gerant, curat. pœnitentem infirmum, consulto episcopo, reconciliat; pœniam cunctis aliis sacerdotib⁹ injungit; archidiaconi p^rceptis, sicut et episcopi, obsequium p^rbet., &c.*

*Hic (scil. archipræbyter rurall's et decanus (eò quòd decem clericis rurâ incolentibus p^rsit) dictus, laicorum et præbyterorum, qui ecclias minores archipræbyteratui subjectas administrant, curam habet. Gravia delicta, si quæ inciderent, episcò significat. Strictè ea, quæ ab epò decreta, sequit^r. Archidiacono paret. Jurisdictionem habet voluntariam, non contentiosam². Corvin. L. 1. Tit. xvi. But for y^e dean rurall's obedience of y^e archdeacon (as he is archipræbyter) I doubt whether it holds w^h us: my reason is, because y^e dean rurall is in this church chosen by the bishop alone, and by him alone may be displac't, and soe to him alone his obedience is due;—whereas it was otherwise supposed by this authour, who grounds himself upon y^e rule of the law, *Decr. L. 1. Tit. xxiii. c. 7. Ad hæc. casus.* Where it is*

μαρτυρίαν τοῦ τοῦ βίου, καὶ τῆς ἡλικίας αὐτῶν, καὶ πάσης ἱερέας καὶ κληρικοῦ παρατηρήσιμος· ἵνα γὰρ μὴ καὶ τῶν γαμικῶν συνλλαγμάτων ἐπιστάτῃ προτροπῇ καὶ ἀποτροπῇ. κ. τ. λ. These, and other important duties of oriental ἐπιστάτης, have, long since, devolved on officers of superior figure to the author and his annotator in the Western church. But if the reader will take the trouble of referring to Bishop Kennett's *Parochial Antiquities*, Vol. II. pp. 349, seqq., or to the *Ætates Decanatæ Rurales* of the writer, he will find, that in by-gone days, when chancellors and vicars-general were less amply furnished with delegations of episcopal power than at present, many of the ἐπιστάτης's functions were executed by vicar archipræbys in England and occidental Europe.

(¹) Arnoldus Corvinus à Belderen I. U. D. whose "*Jus Canonicum, per Aphorismos strictim explicatum*," is an instructive breviary of the canon law; consisting in part of the writings of the holy fathers, and the canons of ancient councils; and in part of the decrees and constitutions of popes, reduced into a compendious form, of easy reference.

(²) The Mentz professor applies this final clause on the nature of archipræbyteral jurisdiction both to city and country deans: "*Habent archipræbyteri jurisdictionem voluntariam, non contentiosam, nec territorium ullum; nisi in foro pœnitentiali: et tum illud episcopo est commune*," p. 28. Moreover, he adds, "*Uterque presbyter esse debet, aut, si non est, intra annum fieri; ut archidiaconus, si non est, diaconus.*" *Clem. 1. de stat. et qual. c. 1. dist. 60.*

sayd y^e Dean rurall is joyntly chosen by y^e b^e and archdeacon, and so must be displac^t by the concurrence of y^e both¹.

As for y^e esteem y^e church of England had of y^e in former times, I shall only give you one instance out of Rog. Hoveden in Henr. II. ; where, speaking of the *Decimæ Saladinæ*² (as they were call'd) a contribution for reinforcing y^e holie warre, he tells you y^e collection of those tenths was not sett on foote untill—*facta prius excommunicatōe ab archiepisc. episcōis et archipresbpt. singulis in singulis paræchiis super unum quemque qui decimam p^rtaxatam non dederit, sub præsentia et consensu illorum qui debent interesse*—whereof y^e archp^resbpter or Dean rurall was to be one, and y^e other were persons and officers of note.

Thus having, in as few words as I could, declar'd unto you the dutie of my place

(¹) Upon the right of election and appointment of Deans rural, originally, without doubt, exercised by the bishop *alone* in *all* dioceses, but subsequently conceded to the clergy and archdeacons, separately or conjointly (the bishop reserving to himself the power of approval and disapproval) in *some*, (dependent on the *consuetudo locorum*), much is said in the *Statuta Bætanice Rurales*, Part III. Sect. i.

The case referred to by Dr. Priaulx is at the close of the seventh chapter of the twenty-third title, *de Officio Archidiaconi*—a rescript of Pope Innocent III. (A.D. MCCXIV.) *Decretal. Gregor. IX. L. I. VII. 6.* "*Subsequentèr postea quævisi utrum decani rurales, qui pro tempore statuuntur, ad mandatum tuum solum, vel archidiaconi, vel etiam utriusque institui debeant vel destitui, si fuerint amovendi. Ad hoc breviter respondemus, quòd cum ab omnibus, quod omnes tangit, approbari debeat; et cum commune eorum decanus officium exercent; communiter est eligendus, vel etiam amovendus.*"

(²) "*Decimæ Saladinæ, al. Saladinides, dicuntur quæ in concilio Parisiensi, A.D. MCLXXXVIII. Philippo Regi Francorum in oppugnationem Saladini Mahometani principis concessæ erant.*" Spelman. *Glossar. Arch.* p. 186, in *voce*; Ducange *Glossar.* Vol. II. col. 729, in *voce*. The particular occasion alluded to by Dr. P. is the *decimation* of the year above quoted, viz. MCXVIII. When Henry II., at the earnest solicitation of the archbishop of Tyre, determined on a crusade to the Holy Land, in conjunction with the king of France and earl of Flanders. The *decimæ* in question, "*in subventionem terræ Ierosolymitanæ,*" were ordered to be collected by the rural archp^resbpters or Deans, aided by other officers; excommunication of all non-payers being previously denounced by the same personages. "*Colligatur autem pecunia ista in singulis parochiis,*" says Hoveden's report of the edict, "*præsente presbytero parochiæ, et archipresbptero, et uno templario,*" &c. See Wilkins, *LL. Anglo-Saxon.* p. 335. Ex Rog. Hoveden. in *anno*, and also *Concilium Gaintingtonense*, A.C. MCLXXXVIII. Henr. II. 35. in *C. M. B. et H.* Vol. I. p. 491.

For other like employments of the Dean rural in collecting the *Roma-soot* or *Peter-pence* for the see of Rome—the taxes imposed upon the clergy by the state—the *cathedratica* due to the bishops, &c. too numerous to be cited here, the reader is referred to the author's *Statuta Bætanice Rurales*, Part. IV. Sect. XII.

(the principall end whereof is y^e eternall wellfare of y^e church and people of God which you yourselves likewise at your ordination have promised to promote, and doe for y^e reason eat y^e bread of yo^r God) I hope you will wth all Xtian meekness and candour receave from me such intimations for y^e future, wthout any imputation of arrogance or iñovation, as the Divine Ma^{ty} shall be pleas'd to direct me in, for y^e inf^t and conscionable performance of my dutie, and y^e discharge of y^e trust his Lo^p hath repose^d in

My R^d. Brethren, your affectionate Brother & Serv^t in X^t.

John P^riaulx.

From the year MDCLXXXVIII., when Bishop Burnet succeeded Bishop Ward, the office of Dean rural seems to have become extinct in the diocese of Sarum, till it was revived in the episcopate of Bishop Fisher¹. There are no traces of its existence during the incumbencies of Bishops Burnet, Talbot, Willis, Hoadly, Sherlock, Gilbert, Thomas, Drummond, Thomas, Hume, Barrington, and Douglas.

Respecting the intentions of the two latter prelates, in reference to the office, Mr. Boucher supplies the following information. "Bishop Barrington once proposed to appoint rural Deans for the purpose of prosecuting a parochial visitation of the diocese; and, with that view, drew up and printed *Articles of Inquiry* for each parish and chapelry within the counties of Wilts and Berks, to be filled up by the rural Deans, and returned to him at a given time. But finding, subsequently, that he was not authorised *by custom* to take any such step (no evidence of such an appointment appearing in the registry of episcopal acts) he laid it aside; and instead thereof, adopted the plan of giving a *special commission* to the archdeacons of the diocese, authorising and enjoining them to make a parochial visitation of their several archdeaconries. And, for that purpose, he supplied them with duplicate copies of *Articles of Inquiry*, in sufficient number to allow of one for each parish and chapelry, to be filled up and left at the place, and another to be returned to the bishop. Such returns were made, and afterwards bound together, and deposited in the bishop's private muniment-room at the palace." See *A Letter to the Clergy of the Diocese of Sarum*, by Shute, Lord Bishop of Sarum, A.D. MDCCCLXXXIX.—EDITOR.

(¹) The formula of appointment employed by Bishop Fisher on the occasion of his reviving the office in the diocese of Sarum, was exactly the same as that previously in use in the dioceses of Bristol and Bath and Wells—*mutatis mutandis*. It is not necessary, therefore, to reprint it here.

"Bishop Douglas, after having presided over the diocese many years, finding numerous complaints of dilapidations of churches and glebe-houses, and recollecting what had taken place in his former diocese of Carlisle, resolved to appoint rural Deans in that of Sarum. But, after several consultations on the subject, his lordship gave up his intention, being of opinion that it exceeded his authority. He also, like Bishop Barrington, gave *particular instructions* to his archdeacons to investigate the complaints which had been made; and a satisfactory report was afterwards rendered to the bishop on the subject of them." See my remarks on Mr. Boucher's Letter, at p. 444.

Since the second revival of the office by Bishop Fisher (*A.D.* MDCCCVII.—MDCCCXV.)—for I give Bishop Ward the merit of the first—(and both prelates were probably induced to restore it from having seen its utility in the diocese of Exeter, whence they were respectively translated to Sarum)—the diocesan alone has appointed to it;—the archdeacons, and sometimes the clergy mentioning to the bishop the names of individuals qualified for the office;—not, however, as exercising any right of co-election—for the office is considered as being vested in the bishop's personal jurisdiction—but as willing helpmates in support of church-discipline, and, generally speaking, most capable from their local knowledge of the different *Deantries*, and their personal knowledge of the resident clergy, to point out to the diocesan the fittest persons to fulfil the charge; which is held for such a term as the bishop may think expedient—i.e. *durante episcopi beneplacito*.

Such is the present constitution of the office under the venerable Bishop Burgess; who has rendered it much more effective¹ during his occupation of the see of Sarum, by enjoining on his Deans rural annual or more frequent inspection of churches and chapels, with their ornaments and furniture, churchyards, manse, &c.:—by circulating periodically *Visitation-Articles of Inquiry*, to be formally filled up by them, and deposited in the archives of the see;—by distributing *mandates*, and prosecuting

(¹) The effective condition of the office of Dean rural in the archdeaconry of Sarum is thus vouched for by the venerable Liscombe Clarke, in his *Charge delivered to the Clergy*, *A.D.* MDCCCXXX. "With regard to other important archidiaconal duties, viz. the visiting the several churches within the archdeaconry, and ascertaining, for the information of the bishop, by personal inspection, the state of these sacred buildings, together with that of the glebe-houses and glebe-lands, much is done, and done efficiently, in this diocese by the rural Deans, whose exertions have been attended, in many instances, with the best effects. They are therefore entitled to much praise for so kindly consenting to devote a portion of their time to this service." (*Charge*, p. 7.)

*inquisitions*¹, where necessary, by the instrumentality of Deans rural;—and lastly, by holding a yearly conference of all the Deans of the three archdeaconries of the diocese,

(¹) As an example of one of the many inquiries prosecuted by Deans rural in this diocese, I subjoin the following letter, addressed by Bishop Burgess to the Deans rural in general, on the *union* of small contiguous benefices, as suggested by the Primate a few years since.

DEAR SIR,

Salisbury, May 4, 1833.

IN compliance with a desire expressed by his Grace the Archbishop of Canterbury, for carrying into effect His Majesty's pleasure, that a report should be made to "His Majesty in Council of the names of all benefices, which, on account of the smallness of their population and value, might be permanently united with some contiguous benefice in the same or any adjoining diocese, with advantage to the inhabitants of the respective parishes;"—I am to request that you will have the goodness, in conjunction with the Reverend Francis Lear, to report to me, *after due inquiry*, the names of all benefices in the Deanry of Chalke answering the above description, which might, in your judgment, be permanently united with *some* and *what other contiguous benefice* in my own or any adjoining diocese.

It will be unnecessary for you to extend your inquiry to benefices of which the joint population exceeds one thousand, and of which the joint net yearly value exceeds 500*l*. Neither must the churches be more than two miles asunder.

I have made a similar request of the other rural Deans of my diocese, as to benefices within the other Deanries; and I subjoin a list of their names, that you may confer with any of them, if necessary, with respect to benefices in another Deanry, *contiguous* to those in your Deanry. I also subjoin the Form, in which I wish your report to be made; and I request you to send your report, when completed, to the archdeacon of Sarum.

I remain, dear Sir, your faithful Servant,

T. SARUM.

To the Rev. W. Dansey,
Rural Dean of Chalke.

FORM OF REPORT.

REPORT of the Reverend _____ and the Reverend _____ to the Bishop
of _____ of Benefices in the Deanry of _____ which, in their judgment,
might be permanently united with another benefice, in the diocese of Salisbury, or an
adjoining diocese, with advantage to the inhabitants of both parishes.

The Names of the two Benefices proposed to be united.	County.	Deanry.	Diocese.	Joint Population, according to the Census of 1831, of the two Benefices.	Joint net yearly value of the two Benefices.	Patrons.

at the episcopal palace¹;—reviving therein the image of those elder conventions, at which the deans rural, as the proper delegates and standing representatives of the parochial clergy, were heretofore wont to deliver their *acta visitationis* to their diocesan, and to report and consult with him on the spiritual condition of their respective deaneries—“*ut quæ ex ipsorum judicio reformatione opus habere comperientur, communi consilio emendentur.*” (SS. CC. Tom. XIX. col. 1292. can. XVIII.)

The rural deans at present appointed within the archdeaconries of Sarum, Wilts, and Berks, constituting the diocese of Salisbury, are:—

Deanries of		Archdeaconry of Sarum.
Amesbury . . .	Rev. Charles Grove, A.M., rector of Odstock, and prebendary of <i>Minor Pars Altaris</i> , in the cathedral church of Sarum.	
Wilton	Rev. G. Augustus Montgomery, A.M., rector of Bishopstone, and prebendary of <i>Ruscomb</i> , in the cathedral church of Sarum.	
Chalke	Rev. F. Lear, B.D., rector of Chilmark, and prebendary of <i>Netherhaven</i> , in the cathedral church of Sarum. —W. Dansey, A.M., rector of Donhead Saint Andrew.	
Wily	Rev. W. D. Thring, D.D., rector of Sutton Veny, and Fisherton de-la-Mere. —G. P. Lowther, A.M., rector of Orcheston Saint George.	
Potterne	Rev. W. Fisher, A.M., rector of Poulshot, and prebendary of <i>Ifracomb</i> , in the cathedral church of Sarum. —T. A. Methuen, A.M., rector of Allcannings.	
		Archdeaconry of Wilts.
Marlborough . .	Rev. G. P. Buxton, A.M., rector of Mildenhall. —H. Wilson, A.M., rector of Collingbourne Ducis.	
Avebury	Rev. E. Vincent, A.M., vicar of Rowde. —T. H. Ripley, A.M., rector of Wootton Bassett.	
Cricklade	Rev. N. G. Woodroffe, A.M., vicar of Somerford Keynes.	

(¹) Quotannis, certo designatoque die, omnes archipresbyteri episcopum accedant, atque cum illo de statu suorum respectivè districtuum conferant, exponantque quid singuli, tum in visitatione, tum congregationibus pastorum aut aliundè observarint; quicquid pro bono parochiarum statuendum judicarent; ac deinde post mutuam collationem, maturamque deliberationem audiant, quæ pro salute, ac utilitate animarum episcopus statuenda et ordinanda duxerit.” Van Espen, *I. E. U.* Part 1. Tit. vi. c. iv. p. 31.

Malmesbury . . . Rev. E. Ryder, A.M., rector of Oaksey.

Chippenham Division, Rev. E. Ravenshaw, A.M., vicar of West Kingston.

— W. Short, A.M., vicar of Chippenham, and prebendary of *Stratford*, in the cathedral church of Sarum.

Archdeaconry of Berks.

Abingdon . . . Rev. T. Pearson, A.M., vicar of Sparsholt.

— W. Slatter, A.M., rector of Cumnor.

Wallingford . . . Rev. R. B. Fisher, A.M., vicar of Basildon.

Reading . . . Rev. W. Bishop, A.M., rector of Upton Nervett.

— H. R. Dukinfield, A.M., vicar of St. Giles's, Reading, and prebendary of *Winterbourne Earls*, in the cathedral church of Sarum.

— W. L. Rham, A.M., vicar of Winkfield.

Newbury . . . Rev. George Wylde, A.M., vicar of Chieveley.

— Henry Majendie, A.M., vicar of Speen, and prebendary of *Bemminster Prima*, in the cathedral church of Sarum.

3. COMMISSION FOR THE RURAL DEANS OF THE DIOCESE OF SARUM, BY BISHOP BURGESS.

THOMAS, by Divine permission, Bishop of Sarum, To our well-beloved and reverend brother, clerk, rector of in the Deanry of and our diocese of Sarum, greeting—

Whereas we have thought fit, upon mature consideration, to continue the ancient authority and use of rural Deans, in order that by persons of the best ability and integrity, in each of the ecclesiastical divisions called Deanries, we may be regularly and fully informed of the condition in which all things are, in all parts of our said diocese—We, therefore, having a good account and opinion of the piety and learning, and confiding in the diligence and prudence, of you the said do, by these presents, constitute and appoint you to be a rural Dean, in the Deanry of aforesaid, during our will and pleasure; requiring of you to observe, inquire into, and report to us, all things and persons within all the parishes of the said Deanry to you assigned, concerning which it may be proper for us, or

useful to our diocese, that we should have information. And in order that you may be prepared to make the said reports to us intelligently, and upon sure grounds, we do especially desire, charge, and empower you, on our behalf, to visit personally, and examine, once in the year, at least, every church, chapel, chancel, church and chapel-yard, with the books, ornaments, and utensils, thereto belonging; and the glebe-house, buildings, and lands of the incumbents, with their fences and boundaries, within the said *deanry*, according to the tenor of the *Articles of Inquiry* annexed to this Commission. And we further enjoin you, after such examination made, to leave, in writing, under your seal and signature, an order at each place, specifying the things which you shall judge wanting to be repaired, amended, or done there; and, at the end of the said order, to require that every such paper be, by such a limited time as you shall think proper, returned to you, with a certificate at the bottom of it, signed by the minister and church- or chapel-wardens, that all things are repaired and done, according to what is therein directed. And we also authorize you, at your annual visitation, and at any other time when you may see occasion, to inspect the charitable foundations, as well as national or other schools, and parochial libraries, in connexion with the Established Church, within your *deanry*, and to supply us with such information respecting their actual state and management, as our queries may demand, or your judgment suggest. And we likewise give you full power to examine the licences of all stipendiary and assistant curates officiating within your jurisdiction, and desire that you will give immediate notice to us of any who shall officiate as curates without being duly licensed. And we also desire you to call the clergy of your *deanry* together, whenever we shall appoint you so to do; and diligently to disperse such orders as shall be sent to you for that purpose. And furthermore, we require you, as soon as the avoidance of any living within your district shall have come to your knowledge, to notify the same to us, in order that due inquiry may be made into the state of the vacant benefice, and sequestration issued out of the Ecclesiastical Court. And specially we enjoin you to report unto us all undue disposal of church-property in the hands of churchwardens; and to require, that, in every parish, a distinct churchwardens' book be kept, and in it an entry made of all the moveable church-property entrusted to the care of those officers. And lastly, we desire, with the view to our being regularly supplied with the information required upon all the foregoing matters, that you will carefully fill up, with particular and distinct answers, under the name of each parish, the several queries contained in your *Articles of Inquiry*, (with which we will cause you, from time to time, to be supplied,) subjoining thereto such additional observa-

tions as you may think needful; and that you will transmit the same, under your seal and signature, to us, at our palace at Sarum, on or before the first day of August in every year; to the intent that we may take such measures as the circumstances of the several returns, and the general welfare of our diocese, may require. In doing of all which things faithfully, you, the said rural dean, will very much assist us, your bishop, in the discharge of the great duty incumbent upon us. In witness whereof, we have caused our seal, which we use in this behalf, to be to these presents affixed.

Dated under our hand, in our palace at Sarum, this day of
in the year of our Lord 18 and of our Translation the

4. ARTICLES OF INQUIRY FOR THE ~~Dean~~ DEAN OF , IN THE ARCHDEACONRY
OF , AND DIOCESE OF SARUM. A.D. 18 .

QUERIES.

I.—1. WHO is the incumbent? 2. Doth he serve the cure himself? 3. If not, where doth he reside? 4. What is the reason of his non-residence? 5. Has he a resident licensed curate?

II.—1. Doth the officiating minister reside in the parsonage or vicarage house? 2. If not, where, and at what distance, doth he reside?

III.—1. Is the floor of the church and chancel well paved? 2. Are interments permitted, to the detriment of the floor, or the foundation of the walls?

IV.—1. Are the windows well glazed? 2. Are there casements to admit the air freely through the church and chancel?

V.—1. Are the roofs well covered? 2. Are they properly rendered or pointed within?

VI.—1. Are the walls firm, and in good repair? 2. Are they well plastered, clean, and white within?

VII.—1. Are there any trees or ivy growing on the walls or steeple; and if so, on what part?

VIII. Is the whole church kept clean, and in decent order, without dust, cobwebs, or any thing that may be offensive or unseemly?

IX. Are the Ten Commandments set up at the east end of the church?

x. Is there a decent font of stone, with a cover to it, for the administration of baptism?

xi.—1. Is there a decent communion-table, properly railed in, with a carpet of silk or stuff? 2. Is there a fair linen cloth to cover it at the times of ministration?

xii.—1. Is there a decent chalice; and of what metal? 2. Is there a decent flagon; and of what metal? 3. Is there a decent paten; and of what metal?

xiii. Is there a convenient reading-desk and pulpit, decently adorned with a cloth and cushion?

xiv.—1. Are there folio Bibles, fair and perfect? 2. Are there Common-Prayer Books, fair and perfect?

xv.—1. Is there a Book of Homilies? 2. Is there a table of degrees?

xvi. Is there a decent surplice?

xvii.—1. Are there register-books, of parchment, or of good and durable paper, for entering christenings, marriages, and burials? 2. Is there a proper book, of substantial paper, for the registration of banns of marriage?

xviii.—1. Is there a well-painted iron chest, with lock and key, for the safe keeping of the register-books? 2. Is there a chest for vestments and utensils belonging to the church?

xix. Is there a bier, with a black-hearse cloth, for the burial of the dead?

xx. Are the seats and pews floored with wood, kept clean, and in good order?

xxi.—1. How many bells are there? 2. Are they all in good order?

xxii.—1. Is there any chapel or chapels within the parish? 2. Is every thing in good repair and order there? 3. Is there any ruined chapel, or chapels? 4. Have they become so within the memory of man? 5. To what may their decay be imputed?

xxiii.—1. Is the churchyard well fenced, clean, and decent? 2. Is it kept free from fairs, and other unholy uses? 3. Are the graves dug at a proper distance from the foundation of the church?

xxiv. Is there a vestry-room attached to the church?

xxv.—1. Is the house of the minister, with its barns, stables, and other out-houses, in good and sufficient repair? 2. In particular, is the parsonage or vicarage house (over and above necessary repairs) kept in such decent manner, as is fit for the residence of the incumbent?

xxvi.—1. Are there bounty lands or houses belonging to the benefice? 2. Are they occupied by the incumbent, or let? 3. Are they taken good care of?

xxvii.—1. Are there any funds (arising from what source) for the repairs of the church? 2. Are they duly and properly expended?

xxviii.—1. Is there a Sunday-school; and how supported? 2. What is the average number of scholars? 3. Is it in union with the National Society?

xxix.—1. Is there a Day-school; and how supported? 2. What is the average number of scholars? 3. Is it in union with the National Society?

xxx.—1. Is there a parochial library? 2. Is it preserved for the uses to which it was given?

xxxi.—1. Are there any other charitable foundations; and of what description? 2. Are they well administered? 3. Who are the trustees and visitors?

xxxii. Is there a distinct churchwardens' book kept, and entry made in it of all the moveable church-property entrusted to the care of those officers?

xxxiii. Are there any other matters which require notice?

FORM FOR THE ANSWERS TO THE QUERIES IN THE ARTICLES OF INQUIRY.

REFERENCE TO QUERIES.	<i>Parish of</i>	<i>Parish of</i>	<i>Parish of</i>	<i>Parish of</i>	<i>Parish of</i>	<i>Parish of</i>	<i>Parish of</i>
I.—1.							
2.							
3.							
4.							
5.							
II.—1.							
2.							
III.—1.							
2.							
IV.—1.							
2.							
V.—1.							
2.							
VI.—1.							
2.							
VII.							
VIII.							
IX.							

SECT. XXVI.—Diocese of Worcester.

THE diocese of Worcester contains all Worcestershire (excepting twenty-one churches of the *Deanry* of Burford, which belong to the see of Hereford), about a third part of Warwickshire, two parishes in Staffordshire, one parish in Shropshire, and two chapelries in Gloucestershire¹. It has only one archdeaconry, *viz.* of Worcester; within which are nine rural *deanries*—Worcester, Blockley, Droitwich, Evesham, Kidderminster, Powick, Pershore, Warwick, and Kington. *Deans* rural appear to have been early instituted in this diocese. The *Constitutions* of Bishop de Bleys (*A.D.* MCCXIX. and *A.D.* MCCXXIX.), enter fully into the services performed by them towards the clergy of their *decanates*. (*CC. M. B. et H.* Vol. i. pp. 570–1, and pp. 626–7). And those of Bishop de Cantilupe (*A.D.* MCCXL.) are equally confirmatory of the important station of these officers in the diocese, and of the trust reposed in them by the diocesan. (*CC. M. B. et H.* Vol. i. pp. 671, seqq.) The passages have been already cited.

The *Valor Ecclesiasticus* Henrici VIII. notices one solitary *Dean rural* in the diocese of Worcester, in these words—“*Debanatus de Powycke D'nus Joh'es Rycrofte Decanus rural' ib'm.*” *Valor. Eccles.* Vol. iii. p. 237.

Having seen in the public journals (*Feb.* 17. MDCCCXXXIV.), that “the bishop of Worcester had, with his accustomed solicitude for the welfare and good regulation of his diocese, determined on reviving in the various *deanries* within his jurisdiction in Worcestershire and Warwickshire the ancient office of rural *Dean*, which had been discontinued in the diocese for nearly a century,” I applied to his lordship for the forms used on that occasion; and have pleasure in laying them before the reader. Mr. Clifton, the deputy registrar, has communicated, by command of the bishop, a copy of the instrument of appointment, and likewise of the questions propounded by the *Dean rural* to the clergy of each *Deanry*.

(¹) It is proposed, by the *Church Commission* of MDCCCXXXV., that the diocese of Worcester shall consist of the whole county of Warwick, part of which is now in the diocese of Lichfield and Coventry, of the county of Worcester, excepting the parishes transferred to the diocese of Gloucester, and of that part of the *Deanry* of Campden which is to be taken from the diocese of Gloucester.

I. APPOINTMENT OF Rural Dean IN THE DIOCESE OF WORCESTER, BY BISHOP CARR,
A.D. MDCCCXXXIV.

ROBERT JAMES, by Divine permission, Bishop of Worcester, To our well-beloved brother *A. B.*, clerk, Master of Arts, vicar of *C.*, in the county of Warwick, within our diocese of Worcester, greeting—

We, being desirous to procure more frequent parochial visitations through the archdeaconry of Worcester, within our diocese, than the archdeacon can himself make, and confiding in your diligence and prudence, do, by these presents, constitute and appoint you, the said *A. B.*, to be rural dean within the deanry of *D.*, in the said archdeaconry; requiring your fidelity, care, and diligence, in observing, inquiring into, and from time to time making a report to us, or, in our absence, to the said archdeacon, of all matters within the parishes mentioned in the Schedule hereunto annexed; and which are assigned to your care, or any of them concerning which it may be expedient that we should have information. And we particularly desire and require you, at least once in every year, personally to visit and examine every church and chapel, and house of the minister, and the buildings and lands thereto belonging, within the same parishes. And we desire that, immediately after such examination, you make a special report to us, in every case where there shall be no house of residence, or one wholly unfit, or where some additions may render it not unfit for the residence of a clergyman; but in all cases where repairs only are wanting for a decent abode, that you deliver, in writing under your hand, to the minister and churchwardens in each parish, an order specifying the things which you shall judge necessary to be repaired, amended, corrected, or done; and that you will, in such order, require that the same order be, by such a limited time as you shall think proper, returned to you, with a certificate subjoined thereto, signed by the minister or churchwardens, specifying what has been done pursuant to such order. And we further desire that the order and certificate, when returned to you, together with any observations you may think proper to make, may be forthwith transmitted to the said archdeacon. By faithfully discharging the duties imposed on you by these presents, you the said rural dean will greatly assist us your bishop, and also the said archdeacon. In witness whereof, we have caused our seal, which we use in this behalf, to be affixed to these presents, this twenty-third day of May, in the year of our Lord One thousand eight hundred and thirty-four, and in the third year of our Translation.

2. BEAUF OF

PARISH OF

QUESTIONS.

I. THE CHURCH.

What is its present state, with respect to

1. The walls?
2. The roof?
3. The tower or steeple?
4. The pavement?
5. The doors?
6. The windows? How many casements are there, to admit air?
7. The desk and pulpit?
8. The font?
9. The pews?
10. The bells? How many are there?
11. Is the water properly carried away from the roof?
12. Does earth lie against the outward walls, above the level of the inner pavement?
13. Is there a vestry-room?
14. Is there any special fund for the repair of the church?

II. THE CHANCEL.

What is its present state, with respect to

1. The walls?
2. The roof?
3. The pavement?
4. The windows?
5. The doors?
6. The communion-table and rails?

III. ARTICLES NECESSARY FOR DIVINE SERVICE.

Is there provided,

1. A proper Bible and Prayer-book for the reading-desk, and a Prayer-book for the clerk?
2. A decent surplice?
3. A cloth and cushion for the pulpit?
4. A cloth or carpet for the communion-table, &c.; and a linen cloth, for the administration of the Holy Sacrament?
5. Plate for the communion-table; and of what does it consist?

IV. THE CHURCHYARD.

1. Is it sufficient for the present population?
2. Is the wall or fence in proper repair?
3. Are pigs or cattle ever admitted therein?
4. Is it ever profaned on the Lord's-day, by being made a play-ground?

V. THE GLEBE HOUSE.

If the Incumbent does not reside in the house,

1. Is it in tenantable repair?
2. In what state are the offices and out-houses?

QUESTIONS—continued.

VI. SCHOOL, OR OTHER CHARITABLE FOUNDATION.

1. Is there a school connected with the church?
2. If there is, how many children are now on the books?
3. What is its present state of efficiency?
4. Is there any endowment? of what does it consist? and how is it applied?
5. Is there any hospital in the parish for the relief of the sick and poor? how is it endowed? and in what manner are the funds employed?

1. How many acres are there in the parish?
2. What is the assessed rental; and on what rent is it taken?
3. What was the poor's rate for last year?

Have all the orders left by the Chancellor, at his late personal visitation, been duly executed?

(Signed)

Rural Dean.

SECT. XXVII.—Diocese of Sodor and Man.

AS the whole Island of Man, constituting the episcopal diocese of Sodor and Man, contains only seventeen parishes or kirks, and the bishop is resident within his jurisdiction (in the administration of which he is aided by an archdeacon and two vicars-general), there can be little call for *Deans rural*. Whether they exist or not, I am ignorant, having received no reply from Bishop Ward. But there is evidence, in Archdeacon Wilkins's *CC. M. B. et H.* (Vol. III. p. 10.), of their existence during the episcopate of William Russel (*A.D.* MCCCL). The *Constitutiones Synodales Sodorenses* notice the institution, in the chapter *De sepulturâ*; and it is probably again adverted to in that *De ædificio in solo ecclesiæ.* (p. 11.)

PART III.

Scotch Documents.

THE only notices I find of *deans rural* in Scotland are confined to the thirteenth and sixteenth centuries. They are mentioned in the *Provincial Councils* held at Edinburgh in the years MCCXXV., MDXLIX., and MDLIX.—in the first of which, they are acknowledged as *confessors* of the priesthood; in the latter two, as *visitors* of the churches and clergy of their *deantries*. See Wilkins's *CC. M. B. et H.* Vol. I. p. 609; and Vol. IV. pp. 48, 49, 70, 71, 72. The passages have been already quoted, under *Penitentiary* and *Visitatorial Duties* of *Deans Rural*. I do not remember any mention of *deans rural* in Spotswood's *History of the Church of Scotland*.

PART IV.

Irish Documents.

THE meagreness of the information which I have been able to collect, relative to the office of *dean rural* in Ireland, renders it unnecessary, if not impracticable, for me to pursue the plan adopted in respect of England—that of distributing what I have to say under distinct heads, or dioceses. Of a large majority of the *sees* I have nothing at all to communicate.

The office does not appear to have been, at any time, very general in the sister isle; though *chocepiſcopi*, or *village bishops*, according to Wakefield, once abounded. All the rural *deantries* of the dioceses of Meath¹ and Dublin were rural *sees* till the

(¹) The constitution of the diocese of Meath, according to Ware, is singular; “having no *dean*, nor chapter, cathedral, or *œconomy*. Under the bishop, the archdeacon is the head officer of it, to whom, and to the clergy in general, the *conge de eslier* issued; while bishops were elective. The affairs of the diocese are transacted by a synod, in the nature of a chapter,

visit of Cardinal Paparo, in the year MCLII.¹; when archpresbyters rural supplanted rural bishops. See *Æ. B. K. Part II. Sect. 1.* pp. 51–2; and note (1), of the latter page.

The *Constitutions* below cited, from the first volume of Wilkins's *CC. M. B. et H.*, are interesting, as shewing the actual transmutation of the one office into the other. I have met with very few other notices of *Deans* rural in Ireland:—what few my note-book affords, are appended. They are confined to the dioceses of Dublin, Derry, Kilmore, and Meath, of past times; and to those of Armagh, Cashel, Ossory, Cloyne, Limerick, and Clonfert, of modern days. The ancient notices are extracted from Wilkins's *Concilia*, and other authentic sources. For the modern I am indebted, principally, to the writings of two eminent modern prelates—the late exemplary Bishop O'Beirne, and the late learned and eloquent Bishop Jebb: the latter of whom, had it pleased God to spare his valuable life a short time longer, would probably have enriched this part of my *Appendix* with much valuable documentary matter. But, *Deo aliter visum est!*—he hath begun “the travel of eternity!”

I will first lay before my readers the twelve *Constitutions* of Simon de Rochfort, bishop of Meath (*A.D.* MCCXVI.)—the earliest Irish council bearing on archpresbyteral government, now extant. The distribution of dioceses into *Deanries* only took place in the preceding century, at the time of the legate Paparo visiting Ireland (*A.D.* MCLII.) See *Tractatus de Visitationibus Episcopalibus per R. P. Anthonium episcopum Midensem*, cap. v. p. 9. and Wilkins's *CC. M. B. et H.* Vol. 1. pp. 547, seqq.

Constitutiones factæ in ecclesiâ cathedrali SS. Petri et Pauli novæ villæ juxta

chapter, who have a common seal, which is annually lodged in the hands of one of the body, by the appointment and vote of the majority.”

This bishoprick is divided into twelve rural *Deanries*; viz. Duleek, Ratoath, Scrine, Trim, Kells, Slane, Clonard, Mullingar, Ballymore-Loughseudy, Ardnurcher, Fourie, and Ballyloughgort, *alias* Clonmacnois. Though, I believe, the last of these *Deanries* belongs to the see of Clonmacnois, which is united to Meath. See Harris's *Ware*, Vol. 1. pp. 138–9.

(¹) Dublin was united to Glendalach *A.D.* MCCXIV., according to Ware, and both were divided into ten *Deanries*; viz. I. *Deanatus Christianitatis* Dublin. II. Tachny. III. Swords. IV. Ballymore. V. Bree. VI. Wicklingo. VII. Arklo. VIII. Tristledermot. IX. Athy; and X. De Saltu Salmonis, or Salmon Leap. But at present there are twelve *Deanries*, the names of which stand thus, in the consistorial registry of this diocese; viz. I. *Deanatus Christianitatis* Dublin. II. De Swords. III. De Luske. IV. De Finglasse. V. De Novo Castro. VI. De Tawny. VII. De Saltu Salmonis, *alias* Leixlip. VIII. De Brey. IX. De Wicklow. X. De Arklow. XI. De Ballymore. XII. De Omurthy: which last denomination includes the two ancient *Deanries* of Tristledermot and Athy. See Harris's *Ware*, Vol. 1. p. 299.

Athrumiam, per Simonem, Dei gratiâ episcopum Midensem, in synodo ibidem tantâ, anno MCCXVI. Ex Mss. penes Joh. Episc. Klogherensem.

Cum dominus Johannes Paparo, presbyter cardinalis tituli S. Laurentii in Damaso, summi pontificis et domini nostri Eugenii III. legatus in Hiberniâ, in synodo generali tantâ apud Kenanas in Midîâ, anno gratiæ MCLII. inter alias salubres constitutiones, tunc et ibidem factas, ordinaverit, ut decedentibus *chorepiscops*, et exiliorum sedium episcopis in Hiberniâ, in eorum locum eligerentur et succederent *archipresbyteri* à diœcesanis constituendi, qui cleri et plebis sollicitudinem gerant infra suos limites, et ut eorum sedes in totidem capita *decanatuum ruralium* erigerentur; idcirco nos episcopus antedictus ejus ordinationi morem gerentes, statuimus et ordinamus, prout sequitur:—

I. Imprimis, ut in ecclesiis Athrumensi, Kenanunensi, Slanensi, Skrynensi, Donnachsacheling, olim sedibus episcopalibus in Midîâ, nunc verò capitibus *ruralium decanatuum*, *archipresbyteri* de futuro instituendi, non solum perpetuam et personalem residentiam faciant in iisdem ecclesiis, verum etiam cleri et populi infra limites eorum *decanatuum* sollicitudinem gerant.

II. Ut nullus in *archipresbyterum* ordinetur, nisi qui presbyter sit, sub pœnâ amotionis à suo officio.

III. *Item*, quòd vacante per mortem, aut alio quovis modo *archipresbyteratus* officio, eligendus est per nos, aut successores nostros successor, quia jurisdictionem suam à nobis haurit.

IV. *Item*, ut *archipresbyteri* quotannis, et sæpius, si opus fuerit, personaliter visitent statum et conditionem omnium ecclesiarum infra suos *decanatus*; et si quâ ecclesia reparatione indigeat, hortentur gregem dominicum ad earum reparationem, actaque visitationis ad nos in proximâ synodo transmitti curent. Videant etiam an domus pastorum et capellanorum sint sartæ tectæ; corruptelas morum in populo reformare studeant, et si quas abstergere nequeant, ad synodum diœcesanam referant, ut de iis emendandis cum consilio cleri deliberari possit.

V. *Item*, ut pròcurent fidele transcriptum ad nos in synodo transmitti de statu et conditione librorum, vasorum, vestimentorum, et aliorum ornamentorum et suppellectilium in ecclesiis infra suos *decanatus*, ut de iis reficiendis, quoties expedit, statuamus.

VI. Curent insuper pœnitentias canonicas à nobis vel officialibus nostris impositas delinquentibus debitè, et eâ, quâ decet solennitate, peragi, et perimpleri in ecclesiis infra suos limites, quibus ipsi cum presbyteris parochialibus intersint, tanquàm testes, ut quâ humilitate et devotione pœnitentiæ laboribus defuncti sunt, testificare possint.

VII. *Item*, ut in admissione ad officium, juramentum præstent de fidei executione

sui officii. Item de inquirendo et præsentando nobis et officialibus nostris nomina et cognomina omnium et singulorum infra suos *Decanatus*, qui publicè et notoriè defamati aut vehementè suspecti sunt de aliquo crimine aut infamiâ, per auctoritatem nostram puniend. et corrigend.

VIII. *Item*, ut capitula ruralia diligentè convocari faciant per se, aut per suos nuncios, in præcipuis locis *Decanatum*, de tribus septimanis in tres tenenda, et aliquandò extraordinariè ad voluntatem nostram, si nobis visum fuerit aliquid in istis conventibus cum clero communicare.

IX. In hisce capitulis ipsi præsent et moderentur tractatus cleri de communibus negotiis *Decanatum*; in iisdem etiam faciant inquisitiones fieri de beneficiis vacantibus, et de intrusis vi laicâ in beneficia. Curent insuper transcriptum fieri statutorum provincialium et diocesanorum, eaque in singulis capitulis post proximas synodos recitari faciant et exponi clero infra suos limites, ne quis peccet in eadem per aliquem prætextum ignorantie; admoneant etiam curatores animarum, ut populo infra suas parochias publicari faciant, et exponi eas constitutiones, quæ ad plebem spectant et pertinent.

X. Prohibemus archipresbyteris probationem testamentorum, tractationem causarum matrimonialium, causas simoniæ, et omnes causas criminales, quæ deprivationem cleri, et amissionem beneficiorum exigunt.

XI. Præterea *decanis* ruralibus districtius inhihemus, ne in suos subjectos actiones vel tallias per se vel per suos exercere præsumant.

XII. Quodsi in præmissis negligentes aut remissi aut inobedientes fuerint, et de hoc constare poterit per testes fide dignos, à nobis aut successoribus nostris ab officio suo suspendantur, donec mores emendaverint.

A Dublin synod (supposed, by Wilkins, to have been held *A.D.* MCCXVII.) records the inspectionary duties of *Deans* rural in more than one institute (*CC. M. B. et H.* Vol. I. p. 548). The passages have been already quoted. The office is again brought under notice in the *Synodal Constitutions* of the See of Ossory¹ by Bishop Richard Ledred (*A.D.* MCCCXX). See can. XIV. *De Sanctâ Synodo, et lecturâ statutorum*, and others. *CC. M. B. et H.* Vol. II. p. 504.

The provincial synod of Dublin, under Archbishop Alexander de Bricknor, notices *Deans* rural in the following canon (*A.D.* MCCCXLVIII.)—"XXI. *De electione decanorum.*

(¹) Ossory is divided, according to Ware, into eight rural *deanries*; viz. Siller, Claragh, Aghoure, Odoh, Kells, Obercon, and Iverk, *alias* Overk. See Harris's Ware, Vol. I. p. 397.

Item ordinamus, et presentis concilii auctoritate statuimus, quod illi, qui decanos rurales eligunt, pro hujusmodi decanis ruralibus, si in officio maleversati fuerint, seu de perquisitis et synodalibus loci diœc. minimè satisfecerint, pro illis respondeant et satisfaciant competenter, et si per ministrum fuerit initiatus (al. mutatus), quod ipse respondeat pro assumpto." (CC. M. B. et H. Vol. II. p. 750.)

In the see of Derry¹, *Deans* rural existed in the year MCCCCXX.—the appointment to the office being in the bishop of the diocese, and, during vacancy, in the archbishop; who exercised the right of election, at that time, in the instance of Donat-O-Kerulan. See Harris's *Ware's Works*, Vol. I. p. 290. and *Moræ Decanice Rurales*, Part III. Sect. I.

In the year MDCXXXVIII. Bishop Bedell "revived the ancient custom of rural *Deans*," Bishop Burnet tells us (*Life of Bedell*, p. 62), in the diocese of Kilmore². See *Moræ Decanice Rurales*, Part. VI. Sect. II. p. 148.

In the diocese of Meath, the office existed in the year MDCXCVI., as I infer from the *Tractatus* of Bishop Dopping, *De visitationibus episcopalibus*, in which *Deans* rural are frequently mentioned.

After the lapse of a century, the office re-appears in the diocese of Ossory. The following notice of it is extracted from the *First Charge* of Bishop O'Beirne to the clergy of that diocese (A.D. MDCCXCV.)—"I take this opportunity," says the bishop, "to return my warmest thanks to those gentlemen, my most respectable brethren, who have so cheerfully and zealously undertaken the very laborious task I have imposed on them in the restoration of the ancient office of rural *Dean*, and who are engaged in rendering me such essential services towards the discharge of my duty. Their labours, I trust, will not be in vain. In the information they have conveyed to me, I find much to rejoice at, much to lament: from henceforth, the object of my life, while God gives me health, shall be to endeavour to strengthen and extend the one, and to remedy and correct the other."

A subjoined foot-note by the bishop gives us the following additional information. "*Rural Deans* were of very ancient institution: their office was to inquire and search

(¹) There is no account of the rural *Deanries* of the Diocese of Derry in Ware, but it was evidently so divided.

(²) Kilmore, Ware tells us, "has neither cathedral, chapter, canons, or prebendarys. A small church at Kilmore, contiguous to the episcopal house, is a parish-church, but serves for a cathedral. The archdeaconsy is ambulatory, and hath no corps; but the bishop annexeth that dignity to any parish, at his discretion. Ardagh is united to it." See Harris's Ware, Vol. I. p. 226.—There is no account of the rural *Deanries* of the diocese.

into the lives and conversations, as well of the clergy, as of the laity, who were within their *Deanries*, and to see that the clergy duly served their cures and performed their duties according to the constitution of the church; and if they found any of the clergy negligent of their duty, or any of the laity blame-worthy, they were, by their office, to rebuke and admonish them: and if admonition to the clergy, and rebuke to the laity, would not make the one supply their cures and perform their duties, nor the other amend their lives, they were to inform the bishop, and the bishop was to proceed against them according to law. But the institution has been long laid aside, and in this diocese (Ossory) is only known by the names of the several *Deanries* being still retained on the visitation-books.

“It fell into the same disuse in England as here; but as the power and jurisdiction of the archdeacons is there in full force and actual exercise, the deficiency has been the less felt, and the discipline of the church, as far as it was committed to such institutions, suffered the less materially.

“Yet, even in England, we find many pious bishops expressing their regret at the disuse of this office; and some of them succeeded in having it re-established, under new regulations. Archbishop Secker observes, that the institution took place in England before the Conquest; that it was kept up till the Great Rebellion; and was afterwards restored in several dioceses, and preserved till his days.

“The Convocation, at one time, made some progress towards its general re-establishment; but nothing was completed; and it has since been left to the zeal and discretion of the several bishops, how far they may think it expedient to revive, and how to regulate it.

“As the jurisdiction and power of the archdeacon’s court have fallen into disuse in this kingdom, this office might be of essential service to our discipline. The present archbishop of Cashel¹, to whom the church of Ireland is as much indebted as to any prelate of modern days, has got it revived throughout his whole province, under new regulations, perfectly calculated to answer its best purposes.

“The Lord Primate, on his appointment to the see of Armagh, not only revived the institution in his own diocese, but strongly recommends it to his suffragans.” (*Sermons and Charges*, Vol. I. pp. 229–30.) At the present time (*Oct. MDCCCXXIV.*) it exists, and is most efficient, in the diocese of Armagh, under Archbishop Lord J. G. Beresford.

[¹] Cashel diocese is divided into five rural *Deanries*; viz. Muscry, Featherd, Owthny, Ely, and Slewadagha. Emly, now united to Cashel, contained the ancient *Deanries* of Any, Grien, Tipperary, and Natherlow, i.e. Arlow. See Harris’s Ware, Vol. I. pp. 463–489.

The bishop of Cloyne¹ (Berkeley) attempted the revival of the office in his diocese in the last century. (Hunter's *Doncaster*, p. i.)

"There is another class of dignitaries, so called," says the eloquent bishop of Limerick², in his Speech in the House of Lords on the Church in Ireland, "respecting whom a word must be said: I mean, the rural deans. Of this body we have heard much. They have been repeatedly brought forward, as contributing to swell the pomp and dignity of the episcopal retinue, as drawing large revenues from the oppressed population, as constituting one great division of the enormous staff of the church.

"Now, what in reality are these portentous rural deans? My lords, they are simply six or eight of the parochial clergy in each diocese, selected on account of their good character, or appointed in rotation, to discharge the laborious, invidious, and unpaid duty, of visiting and reporting upon every parish in their respective districts. Every year, previously to the bishop's visitation, and at as many other times as the bishop may require, they inspect the glebes and glebe-houses, the churchyards and churches, the vestments, the books, the communion plate and linen, and all things requisite for the decent celebration of Divine service. On all these particulars they make a special report; as, also, on the condition and regularity of parish registers; on the residence and attendance at church of the officiating clergy; on the number of communicants, whether monthly or at the great festivals; on the time set apart for the catechetical examination of young persons; and the numbers actually catechized in the church.

"Such, my lords, are our Irish rural deans, and such the duties which they perform. And it appears, that these idle and useless staff-officers, in addition to their ordinary duties, undertake this charge—which implies much labour, much travelling, sometimes no trivial expence—without any other recompence whatever, than the consciousness of being usefully employed." *Practical Theology*, Vol. II. p. 368—9.

The *British Magazine* (April MDCCCXXXIV., p. 497.) reports, that "the bishop of Clonfert has appointed rural deans in the diocese of Clonfert and Kilmacduagh."

(¹) Cloyne was formerly divided into five rural deanries; viz. Imokilly, Oleathan, Fermoy, Muscrydonegan, and Muscry-Illine. But now there are but four; viz. Castlelyons, Castletown, Bothon, and Muskery. See Harris's Ware, Vol. I. p. 573.

(²) Limerick is divided into five rural deanries; viz. Kilmallock, Adare, Garth, *alias* Balingarry, Ardagh, and Rathkele. *Ardferi* has been annexed to Limerick since MDCLXIII., and I find no account of its deanries before or since its union. See Harris's Ware, Vol. I. pp. 501, 518.

Ware notices the division of the following dioceses into rural deantries, viz. Cork and Ross (Vol. i. pp. 553—583); Elphin (p. 627); Waterford and Lismore (p. 547); Ferns and Leighlin (pp. 435—453). Raphoe is stated *not* to be divided into rural deantries (p. 270). Of Kildare, Clogher, Derry, Down, Connor, and Dromore, I find no account whether they be so divided or not.

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The Reader is respectfully requested to correct the following *Errata* of the
Editor and Printer.

VOL. I. p. 11. l. 10. *r.* Galganetti.

p. 47. l. 17. *r.* *we* instead of *me*.

p. 160. l. 25. *dele* the comma after *inquisitions*.

p. 162. l. 28. *for* a part *r.* apart.

p. 177. l. 26. *for* Bishop *r.* Archdeacon.

p. 299. l. 16. *r.* *Statutes*.

p. 358. l. 10. *for* life *r.* like.

VOL. II. p. 57. *The references at the margin of the foot-note should stand by the
side of the words pro adulterio of the text.*

p. 169. l. 3. *for* Simon *r.* Symonds.

p. 187. *foot-note*, l. 3. *for* plea *r.* plan.

ADDENDA TO THE REV. W. DANSEY'S

Mora Mecanica Rurales.

With the Author's respectful Compliments.

[The Reader is requested to add the following documents to those already introduced at p. 447. Vol. II. after Seth Ward's *Table of Instructions* to the Deans rural of the diocese of Sarum. They have been extracted from a MS. copy of that prelate's "*Papers about reforming the Ecclesiastical jurisdiction*," heretofore in possession of Archbishop Sharp, and by his grandson, Mr. Granville Sharp, presented to Bishop Burgess, by whom the MS. has been entrusted to the writer's use. The documents may be considered supplementary, and explanatory of the *Table* above referred to.]

Rural Deans MAY BE DIRECTED AND APPOINTED—
(OUT OF VISITATION)

I. To give notice to their Bishop upon all occasions—

1. Of such scandalls, misdemeanours, abuses, and evil fame, wherein the clergy of their respective deanry's or the Bp.'s consistory may be concerned, especially of the misdemeanours, abuses, and exactions of Apparitors.

2. Of such vacancys as happen in their deanry's, and of the best means to have such vacant cures well supplied till they be new filled again; to which end the Dean may be very fitly named first in all sequestrations issued into his deanry, that he may see to the gathering and employing the fruits to the best advantage.

II. To have a meeting once a month or oftener with some few of their neighbour clergy there to deliberate—

1. Of such particular admonitions and precautions, as the faults of some, and the indiscretions of others, among the clergy, shall be observed to need.

2. Of private conferences to be sought and contrived with separatists, especially before the censure of excommunication be published against them; where it will be proper to consider what friends and seasons are likely to be most aiding in this kind of application: and all sentences of excommunication in matters of offences may be very fitly transmitted to the Dean's hand, that he may confer with the minister of the parish and with the party himself, in order, if possible, to prevent the denunciation.

3. Of friendly instructions to be communicated to such of the younger clergy as shall be observed to need them;—whereby their conduct in their studys, preaching, and private applications (which deserve to be recommended above all things in the cure of souls) may be more successfull, and better suited to the great ends of their labours.

4. Of charitable mediations to be attempted by the Dean or some of his brethren in all differences and law-suites, most especially where any clergyman is concerned in the deanry.

5. Of applications to such as are wealthy and religiously disposed, in order to engage them in works of publick piety or charity by proper arguments and motives suitable to their abilities and particular inclinations.

This meeting to be allwaies either in the Dean's or some other grave minister's house; the hour to be so early in the morning that the meeting may be broke up, and the company dispersed, to dispose of themselves to dinner other where. That the carriage in it be as grave and solemn as in the weightiest consultations. That the Dean keep a diary of the accompt given, or resolutions taken in reference to any of these heads. And, at every six months ended, give the bishop a perfect account of every thing done or attempted in pursuance of these or any other instructions.

(IN VISITATION)

1. To preach every Dean in his turns, or else to substitute such as are most able and grave for the solemnity.

2. To bear witness to such lawfull impediments as shall be alledged in the behalfe of the clergymen; to take care that all clergymen present do attend the visitor till he see time to dismiss them, and to assist unexperienced clergymen, when they make any presentments.

3. To be at the visitor's ellbow, while he receives and reads over the respective presentments of his Deanry—to the end the Dean's judgment may be heard, or his assistance (if need be) required in order to the speedy effectuall remedying of what is amiss.

THE OFFICE OF A Rurall Dean ANCIENTLY IN THIS CHURCH WAS—

1. To call before hand such of the clergy in his Deanry as laboured under any evil fame, and so correct lesser excesses, not judicially, but *in foro penitentiali*—the rurall Deans being the *confessores nati* of the clergy under them, till the moncks about King John's time got the employment out of their hands.

2. To hold meetings (called *capitula*) once a month or oftener with his clergy, there to deliberate of matters fit to be given notice of to the bishop, to appoint preachers for solemn occasions, and to intrust no vice-priests in the way of administering and ordering sacraments and sacramentalls according to the canons and customs of the church.

3. To take order for, and certify the execution of processes and decrees out of the court Christian; for which purpose Deans rurall were (in Otho's legation in Henry the 3d's time) allowed to have a seale of office which should be taken for authentique, when affixed to any certificate.

4. To see to the sequestration of all livings that should happen to be vacant, and to provide for the supply of the cure during the vacancy: as also to execute the mandates *ad inducendum* in favour of new incumbents.



